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COLLECTIONS

OF THE

MAINE HISTORICAL SOCIETY

THIRD SERIES, VOL. I

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IN COMMEMORATION OF THE MILLENARY
ANNIVERSARY OF THE DEATH OF
KING ALFRED THE GREAT.
NOVEMBER 1, 1901.

MAINE HISTORICAL SOCIETY COLLECTIONS

OPENING ADDRESS

BY HON. JAMES PHINNEY BAXTER, PRESIDENT OF THE SOCIETY

It has been the practice from the earliest times for civilized peoples to publicly commemorate important episodes in the lives of those who have made themselves conspicuous by great achievements, not alone for the purpose of showing reverence for the mighty dead, but for the loftier one of keeping bright the memory of virtues worthy to be emulated by the living.

It is in accordance with this practice that we have assembled to celebrate the nativity of a man so grand, that the memory of what he wrought for a great race from whose loins we sprang, has survived the mirk and moil of a thousand years. A thousand years! How fared the world in that remote day when Alfred, the anniversary of whose death we commemorate, opened his eyes upon it? Surely it was not the world upon which we look to-day. Then, the activities of men were universally devoted to war, and an able warrior stood for the highest type of manhood. Race strove with race and tribe with tribe marring the face of nature with carnage and desolation. To wrest their dearest possessions from alien peoples and devote them to servitude and sorrow, was a meritorious

achievement worthy the meed of poetic eulogy, and the precious crown of heroic virtue. At the time of Alfred's birth, the little island of England was divided into petty principalities governed by rulers, who were jealous of each other, and who acted together against the common enemy, the Danes, only as their selfish interests dictated. These fierce sea rovers made annual incursions into the country, first despoiling the sea coast towns and then ascending the water ways into the interior, ravaging and slaying as they went. There was no part of England which was not kept in continual alarm by these raids of a cruel and implacable enemy, whose sudden appearance in unexpected places, prevented the people from making common cause against them, as they dared not leave their own settlements unprotected. Emboldened by success, these marauders swarmed together and established themselves permanently on the soil, which enabled them more successfully to prosecute their designs. Continual warfare and slaughter was the result, and for a long time it seemed that the English people were doomed to destruction. In this condition of affairs the childhood and youth of Alfred were passed. Brave, prudent and sincere, he was the favorite of all.

Says Asser, his friend and biographer, "Beloved was he by both father and mother alike with a great affection beyond all his brothers ; yea, the very darling of all. It was in the king's court that he was brought up. As he grew both in childhood and boyhood, so showed he ever fairer than his brethren, and, in looks

and words and ways, the lovesomest. Above all, from his very cradle and through all the distractions of this present life, his own noble temper and his high birth absorbed in him a longing after wisdom."

When his father and three brothers had died after enjoying brief reigns, the last having been slain in battle, the advent of Alfred to the throne revived in the hearts of the English people a hope of deliverance from their pitiless oppressors. Though often reduced to almost hopeless conditions, his confidence in achieving success never waned, and overcoming all obstacles he finally conquered the Danes, established order and placed England in a position of security not hitherto enjoyed. This alone would have entitled him to the term great, but it satisfied only a part of the worthy ambition which he cherished. Long continued warfare had seriously interfered with the proper administration of law, and education, and literature. As soon as peace was won the great warrior became a law-giver, and reconstructed the legal code of his realm, at the same time devoting himself to education and literature. As a man of letters Jusserand calls him, "The chief promoter of the art of prose," and another French writer, Guizot, says that "He opened to the Anglo-Saxon tongue itself a new era by impenetrating it with strong thoughts and precise notions, which it was not yet accustomed to bear. Therein is the original work of Alfred, the seal of his genius." Well has Alfred been called a Miltiades for military genius, a Themistocles for statesmanship, and a Pericles for humanity and wisdom.

We to-day honor Alfred not because he was a king, or a successful ruler of a great people, but as a wise and noble man, worthy of universal honor in any age; in fact, a man whom every American, however high his ideal, may imitate with profit.

THE LIFE AND CHARACTER OF KING ALFRED

BY PROFESSOR J. WILLIAM BLACK, PH.D., COLBY COLLEGE

In September of this year there gathered in Winchester, England, distinguished people from all parts of the English-speaking world, bent upon one object,—that of doing honor to the memory of a great man. Just one thousand years ago death put an end to the reign of King Alfred, a reign so full of fruitage and marked by many achievements so important for the future of England and the Anglo-Saxon race. Men of letters, representatives of the great universities, were there from Great Britain and Ireland; Canada, Australia, New Zealand, India, America joined with the British Empire in paying homage to the memory of this man and in taking part in the unveiling of Thornycroft's majestic bronze statue of King Alfred.

Our own country is comparatively young and is not so enriched with historic traditions as the countries of the old world. But our people belong to a race that is as old as Europe itself. The ancestors of Alfred are our ancestors. Their institutions are our institutions. And community of interests and historic traditions demand that we remember in this fitting celebration the best type of our race.

The Saxon conquest of Britain in the fifth century was a first step in the westward migration of the English from the shores of Germany. The English conquest of North America in the sixteenth and

seventeenth centuries was a second step in this movement, and in America find the English in their third home. We still have much to learn from the past and about the past. It is a strong incentive to historical research to know that the records of the past have not all been revealed. We are learning more to-day of the ancients than they knew of themselves. Egypt, Assyria, Rome are arising anew in the clearer light of historical truth and revealing facts that the world has not hitherto known. It is the same with our own history. It is safe to say that Alfred and his work are better understood to-day than they ever were before. The real Alfred is a different thing from the mythical Alfred. The pioneer efforts of the Saxon are better understood in the light of to-day than by the contemporaries of the Saxon king himself. Let us, therefore, endeavor to put before our minds the true Alfred and profit by his example to the race.

Prior to the time of Alfred, England lacked national unity. Before the migration of the English to Britain they had only a tribal organization. They had not the conception of a nation, nor did they know even the name of king. It was this government that the Angles, the Saxons and the Jutes brought with them from Germany at the time of the English conquest in the fifth century. Crowding back the native population (the Britons), they occupied the land and established many independent kingdoms. Their conquest was complete.

In time there were three of these English kingdoms that acquired especial prominence: Northumbria in

the north; Mercia occupying the center of England, and Wessex in the south. A struggle for supremacy was inevitable, and the work of national consolidation began. A powerful ally in this effort was the English church, which was firmly established as a part of the great continental church of Rome at the Council of Whitby, 664.

The Gewissas, who settled in southern England and founded Wessex, the kingdom of the West Saxons, had chosen their home wisely,— a country compact in area, well fortified by nature, studded with woodland and stream, easily protected against the invader; withal a good foundation for the work of national consolidation. Winchester, occupying the geographical center of this region, and easily accessible from all parts of Wessex, was likewise its logical capital. The river Thames was a barrier on the north which fortified the West Saxons against their Mercian and Northumbrian kinsmen of that region.

By the time of Egbert, or in any event before his death in 839, the king of Wessex became the overlord of all the various English kingdoms in Britain. He was the last of the so-called "Bretwaldas"[1] before the coming of the Danes. Though Egbert has sometimes been called the king of all England, he never deserved such a title. The national federation of the English kingdoms — Kent, Essex, Sussex, Wessex, Mercia, East Anglia and Northumberland — was of the loosest sort, each having its own ruler, Egbert being merely recognized as an over-lord. Egbert, however,

1 See Stubbs' Constitutional History of England, vol. I, 180, 181

was a vigorous ruler and was fortunate in his successors of the West Saxon line. They gave the country good government and hastened the establishment of a national kingdom. In this they were aided and encouraged by the clergy, who saw in national unity, under a powerful sovereign, likewise a national church protected and sustained by the state.

But let us remember that Egbert, though his over-lordship was generally recognized, had not become king of England. It was reserved for Alfred to become the first king of the English, but he was not the ruler of all England at that. Nevertheless, the work that Alfred did made it possible for his descendant, Eadred, in 954, to assume the crown of all England and to become the first national king.

While the over-lordship of Egbert was the first step in the progress toward national unity, pressure from the outside completed, in a measure, the work already begun within. The Northmen, or Danes, furnished this pressure. The sea rovers of the north began to infest the shores of Britain before the time of Egbert, as early as 787. However, it was in the time of this king (802–839), the grandfather of Alfred, that their attacks became persistent, and the attention and energy of Wessex must be turned from the problem of national consolidation to that of the defence of their kingdom against a foreign foe.

Northumbria, East Anglia and Mercia had been overthrown by the Danes and all with comparative ease. Of all the old English kingdoms, Wessex alone retained her independence. Upon her now fell the

brunt of preserving England for the Anglo-Saxon. Was she equal to the task? Let us see.

In the church the Saxon found an able ally. Indeed, the work of national consolidation was really begun by the church. As early as the seventh century Archbishop Theodore of Tarsus, introduced an ecclesiastical administrative system that covered the whole of England and assembled, in 673, at Hertford, the first general English church council. His work on behalf of unity in the church prepared the way for a united English nation. Just as the church on the continent furnished a powerful agent in overcoming the decentralizing tendencies of feudalism, so did the Roman church in Great Britain solidify the people. The state profited by the organization and the example of the church.

Now the Dane came as a foe to both, aiming on the one hand to overthrow the political power; on the other hand, offering his heathen gods — Wodan and Thor — in the place of Christ. The Dane exacted tribute of the people of Northumbria and Mercia, and the tribute was paid. The over-lordship, established by Egbert, was undone. The Dane now approached the Thames. He looked for an easy conquest of the south. It seemed now as if nothing could prevent a change of leadership and of nationality.

In the year 871, the Danes appeared upon the Thames under a new leader, Guthrum. They went up the river west of London and placed their camp at Reading. In the region of Berkshire, and to the northwest of the Danish camp, lies the town of

Wantage (just a few miles southwest of Oxford). It was one of the little sparsely settled village communities of the Saxons and was designated by Alfred's biographer, Asser, as the "royal village of Wanating."[1] Here Alfred was born in 849. He was the fifth and youngest son of Ethelwulf and Osburh. Very little is known of his early years, and much of what is known is obscured in the veil of myth. His biographer traces his descent in direct line from Adam and Wodan. Doubtless Alfred came of a staunch family of noble blood. We know little more than this of his ancestry. We are told that in his fifth year he went to Rome, where he was "anointed for king" by Pope Leo IV and "adopted as his spiritual son"; further, that at the age of six he was taken by his father from Rome to the court of Charles the Bald at Verberie, northern France, where he spent three months and then returned to England. It is said that his experiences at Rome and at the Frankish court made upon the boy a great and permanent impression, which profoundly affected his subsequent life. It is a strain upon the imagination to accept this statement, though, without a doubt, Alfred was a precocious youth.

Nevertheless, this boyhood experience is said to account for the cosmopolitan and international spirit of King Alfred, his freedom from insular narrowness, and his deep interest in the brotherhood of man and of nations.

As a manifestation of an early love of letters, his biographer gives us this story. His mother one day

[1] Asser's Life of Alfred, in Giles' Six Old English Chronicles (Bohn), p. 43.

was showing an illuminated Saxon book of poems to her boys, and remarked "Whichever of you shall the soonest learn this volume, shall have it for his own."[1] The beauty of its letters pleased the eye of Alfred. He took the book to his master, learned to recite it promptly, then came to his mother, repeated the poems, and won the coveted prize. While this story is improbable, for we know that Alfred could not have been over four years of age at the time of this incident, and from other evidence that we have, the story is found to be inconsistent with the facts, nevertheless it may be true in spirit in that it signalized in the young man an ardent love of learning and an enmity for ignorance which had such important consequences in his later years.

Alfred married at the early age of nineteen. He seems to have been afflicted with some mysterious disease which burdened him to the end of his days, but as to its real nature we are left to conjecture. Alfred's rearing was amid stormy times in the history of his people. Evidence enough of this we find in the fact that, though he was the fifth son, and his father and three of his brothers had preceded him on the throne, the crown was placed upon his head when he was but twenty-two years of age. He had already served several years in the army and had learned the art of war under his brother, King Ethelred.

That the Saxons were aiming at national unity is further evident from the fact that marriage alliances were negotiated with that end in view. Alfred's sister

[1] Asser, 51.

had married one of the Gainas of the kingdom of Mercia, and by and by he marries his own daughter to a Mercian, Ethelred, whom he placed as alderman (chieftain) over the Mercians.

We return to the Danes at their camp at Reading, on the upper Thames, where they were now preparing for the subjugation of the last of the English kingdoms. The West Saxons attacked the Danish camp, but were defeated and forced to retire up the valley of the Thames to the heart of their country. Again the Saxons met the pagans, as they preferred to call the Danes, at Ashdown, and here the pagans had the advantage of higher ground and the better position. While King Ethelred and his brother Alfred were arrayed against them, the brunt of the battle fell upon Alfred. He assumed the offensive and charged the Danes. Ethelred delayed his forward movement until he had finished the mass. He refused to "abandon the divine protection for that of men." God was on the side of the Saxons and they won the day. The Danes fell back upon their rallying point at Reading. Ethelred, having been mortally wounded in this conflict, "went the way of all flesh," and was succeeded at once by Alfred (871).[1]

Meanwhile fresh swarms of the Danes were coming up the Thames to reinforce their comrades, and a portion of them penetrated into the heart of the West Saxon territory and camped at Wilton. Alfred was now outnumbered and was compelled to resort to the disgraceful proceeding of buying peace from the

[1] Asser, 56.

invaders. This hour of humiliation was a dark one for Alfred and his people. The Danes let Wessex alone for a while, but Alfred well knew that a peace secured on such terms could not be a lasting one. He was right.

The Danes were simply gathering their forces for another and final struggle. They now organized in two sections. One of these was sent against the north of England and the other and most important, under their leader Guthrum, was preparing at Cambridge for an assault upon Wessex. In 876, Guthrum began his expedition. He embarked in a number of vessels and sailed around to the southern coast of Wessex to Dorsetshire. They landed at Wareham. Alfred, too weak to meet them in battle, again purchased peace, and the Danes swore by all the relics that they would at once leave his kingdom.

Again the pagans proved faithless to their vows, and we next find a number of them coming down from the north and occupying Exeter, on the extreme western border of Essex. But the Saxons, rallying their forces, compelled the Danes to surrender at Exeter and again to agree to leave the country. The latter retired to the north, up the valley of the Severn, but only for a brief respite. After a few months spent at Gloucester, they swooped down upon the Saxons again, occupying the heart of their kingdom, in the region of Chippenham, and terrorizing the whole country. The efforts of their land forces were ably seconded by a Danish fleet of twenty-three ships, which operated in the British channel upon the coast of Devonshire.

Alfred's courage did not desert him. With a few faithful followers he now sought a quiet retreat, and as Green suggests, "waited for brighter days."[1] His retreat was at Athelney, a small island in the river Parret, a branch of the Severn, surrounded by swamps and woodland, which made it well-nigh inaccessible. Here he constructed a fortress, and in three short months made ready for the defence of his country.

Alfred was "in great tribulation."[2] This was his Valley Forge. He "spent an unquiet life among the woodlands," suffering even for the necessaries of life; part of the time in disguise we are told, and it was during these days that Alfred staid at the home of a cowherd or swineherd of his who knew him, though Alfred was unknown to the peasant's wife. One day the woman was baking some cakes and ordered Alfred, who sat by the hearth, mending his bow and arrows, to watch them. Alfred, unmindful of his trust, allowed the cakes to burn; whereon the good housewife coming in rebuked him in the following terms:

> "Ca'sn the mind the Ke-aks, man, an'
> doossen zee 'em burn?
> I'm boun thee's eat 'em vast enough, az
> zoon az 'tiz the turn."[3]

or, as it is paraphrased by Freeman,

> "There, don't you see the cakes on fire? Then
> wherefore turn them not?
> You're glad enough to eat them when they are
> piping hot."[4]

1 Green's Conquest of England, 105; Anglo-Saxon Chronicle (Ed. Giles), 356.
2 Asser, 60.
3 Asser, 60.
4 Freiman's Old English History, 121, 122.

This and other improbable stories were the product of this disquieting and mysterious part of Alfred's career.

The men of Somersetshire, Wiltshire, and Hampshire were gathered together by their aldermen, and in the seventh week after Easter, 878, Alfred met his host at the "Stone of Egbert," on the east of the great forest Selwood. This great wood, in the extreme southwestern quarter of England, had covered the gathering of Alfred's army and "when they saw the king alive after such great tribulation," says Asser, "they received him as he deserved, with joy and acclamations."[1]

Moving now upon Edington or Ethandun, Alfred met and "with divine help" defeated the enemy, compelled them to retreat to their camp at Chippenham hard by, and after a siege of fourteen days, to make a complete surrender. The surrender was unconditional and the victory a decisive one. The consequences of it were most important, for a peace, known to history as the Peace of Wedmore, was negotiated between Alfred and Guthrum. The Danes agreed, first, to leave the territory of Wessex; secondly, to embrace Christianity and receive baptism from the hands of Alfred; thirdly, to give hostages as a guarantee of good faith. Guthrum and his nobles this time fulfilled their promises, their baptism taking place a few days later at Aller, near Athelney, and the "chrism-loosing" at Wedmore.[2]

[1] Asser, 62.

[2] Anglo-Saxon Chronicle, 359.

By the terms of this treaty, England was divided between the English and the Danes, the line of division being Watling street, the ancient and irregular Roman road connecting London and the southeast with Chester and the northwest of England. The valleys of the upper Thames and of the Severn, together with all southern England, remained in the hands of the English. The north and east became the Danelaw, so-called, because it was under Danish law and rule and was governed by Guthrum.

Territorially this Peace of Wedmore meant a defeat, because the English were obliged to accept the Danish occupation of considerable English territory; but the peace had a greater significance; the country was saved for the English and the moral victory was really Alfred's. As Charles the Hammerer had turned aside at Tours, in western France, the tide of Saracenic invasion a century and a half before and had saved Europe from an Asiatic foe and an Oriental faith, so had Alfred at this moment turned the tide of Danish invasion and had saved England from becoming pagan and the country from becoming Scandinavia. Besides, he had united his people. He had even added the western half of Mercia to his kingdom and increased its territorial base. The Mercian preferred a Saxon to a Danish rule. Moreover, Alfred had not only saved England for Christianity but had enforced the Christian religion upon the Danelaw. Further, he had broken the power of the Danes and they were obliged to give up their dream of a great Scandinavian kingdom, either in western Europe or

in Great Britain. Alfred was the instrument of the Danes' undoing.

Another fortunate result of Wedmore was the fact that the Danes, many of them, now settled down in northern and eastern England and gave up the implements of war for the implements of the farm. Those of a more adventurous turn of mind went to Iceland or to the Mediterranean, seeking new fields to conquer. Alfred, however, did not know his work was done. The sword of the invader and of the pirate still hung over his head. He did not yet believe the peace of his country secured. But Alfred was a philosopher. "Oh, what a happy man was he," he says, "that always had a naked sword hanging over his head from a small thread!" Adding, significantly, "So as to me it always yet did." "How! dost thou think now that wealth and power are pleasing, when they are never without fear, and difficulties, and sorrows? What! thou knowest that every king would wish to be without these, and yet have power, if he might; but I know that he cannot."[1]

But the constant fear of a renewal of hostilities by the Danes was the making of Alfred and his kingdom. It kept him on the alert. He now prepared for future emergencies, and the results were a permanent gain for England. No one better understood the significance of the maxim "In time of peace prepare for war" than Alfred himself. Fortunate for him and his people was it that he now had a long interval of peace. He instituted reforms and put Wessex upon

[1] Turner's History of the Anglo-Saxons (Alfred's Boethius), II, 45.

a sound war footing. The country had been laid waste; buildings, churches, monasteries, destroyed. These must be renewed, confidence restored, hope revived. To replenish a depleted treasury, the time-worn expedient of debasing the currency had been resorted to, and it is to Alfred's credit and fame that he saw the necessity of a sound currency, and before the end of his reign restored the currency to a better standard.

The army, known as the fyrd, was a general levy of the male population and made up of all free land owners; in other words, a levy of the whole folk, summoned by order of the National Assembly. They came poorly equipped with staves and clubs, for arms were expensive; they could not remain in service long because they were needed at home to till the fields and gather the crops. Custom had fixed the length of service at two months. In consequence, the king had no permanent army; his force would melt away oftentimes at the moment when they were most needed.

Alfred now introduced an important innovation. The fyrd or national militia was divided into two parts, and each portion took its turn in the field, while the other, acting as a reserve force, remained at home to look after the farms and defend the boroughs. Further, the country was divided into military districts, and each five hides (500 acres) of land were required to furnish an armed man and provide him with victuals and pay.

These, together with other reforms leading to an increase in the number of thanes or wealthy

landholders, who were dependent upon the king and bound to serve him in arms when summoned, gave the king a large and permanent force for his military enterprises.

Another reform of Alfred's was the creation of a navy. Alfred saw the necessity of sea power, if he hoped permanently to defend his kingdom. He might be ever so strong on land, but until he acquired the mastery of the sea he could not protect his coast from invasion. The Saxons had no navy whatever, and among them navigation had well-nigh become a lost art. Alfred now built larger vessels than the Danes, and at first was obliged to have them manned by foreigners imported from Friesland on the continent, as there were no natives with the requisite experience. His new navy was serviceable in his own reign, in checking the raids of the Northmen, and so rapid was the naval expansion that in the time of his son and successor, Edward the Elder, the English controlled the channel. The significance of all this is that Alfred may be said to have laid the foundations of England's naval supremacy.

There is still another reform to be credited to Alfred, and that was his preparation of a common "doom-book" or code of laws. There was nothing new, however, in Alfred's laws, for they were compiled from the old laws of Kent, of Mercia, and from the laws of his Saxon ancestor, Ina. But the significant fact about it all was the creation of a national code of laws, a code no longer circumscribed by the bounds of the tribe, but valid for all the English.

Another advantage which accrued to the West Saxons as a result of Alfred's victory was this: the Danish war had put an end to the royal lines of the kingdoms of Northumbria, East Anglia, and Mercia. It was, therefore, now the business of Alfred to become king of the Mercians as well as of the Saxons. But right here we have an exhibition of tact on the part of Alfred which was characteristic of the man. He allowed the Mercians to retain their national assembly, called in Anglo-Saxon phraseology, the Witenagemot (assembly of the wise men), and he placed over them a ruler of their own kin, Ethelred, his own son-in-law, and gave him the title of alderman. Kent and Sussex had already lost their identity in Wessex, and in this tactful manner Mercia is likewise absorbed. Alfred is king of the English (of Jute, Saxon, and Angle). Alfred's is a real authority; Egbert's had been only a titular authority—a mere over-lordship. The signs now point to the time when the king of the English shall likewise become king of England; an event which was accomplished half a century later in the reign of Eadred (954).

If we would recall in this connection that there was a change of dynasty from English to Danish in the time of King Canute (1016-1035), and again, in 1066, from English to Norman rule, let us remember that these changes were mere changes of sovereign and had little or no effect on the unity of the kingdom or the character of the race. Indeed, the solid inheritance that Alfred left his son Edward was transmitted

ultimately to the Great Edward[1] who reigned at the close of the thirteenth century and was the first typical English king after the Norman conquest.

In the interval of peace which Alfred enjoyed between 878 and 884, and during which he was making the preparations and instituting the reforms just described, the Northmen had turned their attention to France, but with little success. Once more they bore down upon England, but Alfred's new fleet drove them off. Again they came, in larger number, up the Thames as far as Rochester, but again they were defeated, and Guthrum was punished for his co-operation in this effort. Alfred made another advance as a result of this brief struggle, for Guthrum by the terms of the "Frith" or Peace of 886 was obliged to surrender London and the western half of Essex north of the Thames. The Peace of Wedmore had left London in the hands of the Danes. Its return now to Alfred was the making of that city. The results of the "Frith" were three-fold: First, Alfred reconstructed London, and became the real founder of that city; secondly, he had secured control of the river Thames, which hitherto had been the entering wedge of the Danes; thirdly, Alfred's military activity had passed from the stage of defense to the stage of aggressiveness — another important step in the work of national consolidation.

It was the beginning of the end of the Danelaw. Henceforth the Danes are thrown upon the defensive. Green points to the year 886 as the year of the

1 Edward I, 1272-1307.

"foundation of a national monarchy."[1] Provincial jealousies were quieted. Wessex was the only English kingdom, and Wessex had successfully withstood the Danes. Alfred was the national hope. Patriotism knit together all parts of Alfred's dominion and gave promise of greater things. Alfred had saved the English civilization. The Dane came as a destroyer; culture, art, religion, almost disappeared in the wake of his raids. Alfred came as a restorer, and right nobly did he assume the responsibility, and fulfill his mission.

Alfred's contribution to learning and letters constitutes, perhaps, his greatest monument. His efforts in this direction attest the breadth of his character and generosity of his soul, for he could appreciate a good thing, though he found it in the possession of an enemy. He gathered scholars to his court from all lands and all nationalities. He knew that to command learning, he must go abroad for it, so he invited the Franks from the continent to preside over the new monasteries that he established. Further, he drew upon his Mercian kinsmen for service in the cause of learning and education. His own biographer and court companion, Asser, was a Welshman, the arch-enemy of the English; but this circumstance in no wise prejudiced the mind of Alfred nor affected his regard for Asser.

It was Alfred's solicitude that the youth of his land should know their own tongue, and "let those," he says, "be afterwards taught in the Latin tongue who are to continue learning and be promoted to a higher

[1] Green's Conquest of England, 147.

rank."[1] To that end text books in the vernacular must be produced. Giving himself to this task, Alfred changed the tide from Latin to English and became the founder of an English prose literature -- the first of all modern literatures. As author and translator Alfred himself became the leader and pioneer in this movement. Moreover, Alfred the author was not a slavish translator, but an editor and a philosopher, for he enriched his narrative with his own thought. He mastered the Latin, that he might translate himself, but was always modest as to his abilities and his learning.[2] Unlike Charles the Great, he was not only a patron of scholars, but a scholar himself. And to this extent Alfred had an advantage over his kinsmen on the continent in that it made him a leader in his own literary court.

The "stillness" of Alfred's reign was again broken, in 893, when a Danish fleet of 250 vessels assembled at Boulogne for an attack upon the English coast. They succeeded in landing and occupying a portion of Kent. For the next four years Alfred, with the assistance of his son Edward and his son-in-law Ethelred, was kept busy pursuing them from east to west and west to east again. But in 897 their fleet was bottled up in the river Lea, not far from London, and the Danish force rapidly went to pieces. This marked the conclusion of Alfred's wars.

1 Alfred's Preface to Gregory's Pastoral Care, in Green, Conquest of England, 153.

2 "But now he begs of those who may please to read the book, in God's name, to pray for him, and not to blame him if they should understand it better than he was able to do. For every man must, according to the ability of his intellect, say what he says, and do what he does." Preface to Alfred's Translation of Boethius' Consolations of Philosophy, in Pauli's Alfred the Great, 174.

His was no "soft" life. Alfred frequently revealed himself in his literary work, as he does in the passage from his translation of Boethius, in which he remarks, "No wise man should desire a soft life, if he careth for any virtues or any worship here from the world, or for eternal life after this world. But every wise man should struggle both against hard fortune and against a pleasant one: lest he should presume upon his good fortune, or despair of his bad one."[1] The man who could utter such sentiments was no common man.

ALFRED'S CHARACTER.

Though removed by a thousand years, the lessons of Alfred's reign are as pertinent to-day as they were for the Saxons. That such wisdom and perfection of character, combined with the vigor of youth, should reside in one man is one of the marvels of history. Freeman calls Alfred "the most perfect character in history"[2] and confesses his inability to represent adequately and with justice the virtues of this man.

His reign continued for thirty years, but in that time was accomplished what took centuries of effort on the continent of Europe. It is noteworthy that Alfred, of all the Saxon kings, his predecessors and successors, many of whom were able men and strong rulers, is the only one that stands out with distinctness in early English history.

Frederic Harrison pays him this tribute: "Of all the names in history there is only our English Alfred

[1] Turner's Anglo-Saxons, II, 48, 49.

[2] Freeman's Norman Conquest, I, 33.

whose record is without stain and without weakness — who is equally amongst the greatest of men in genius, in magnanimity, in valour, in moral purity, in intellectual force, in practical wisdom, and in beauty of soul."[1]

The virtues of Alfred are many. They would make a long roll. First of all was his simplicity of character, his interest in the common people, his desire for their education. Like our Washington, he was content to do his plain duty. There was not a selfish streak anywhere in Alfred. The welfare of his people was his constant care. He was forgiving of his enemies and treated them always with the utmost fairness. Moreover, he was not ambitious of personal glory. He aimed at results and not at self-glorification. In his numerous translations there was much that was his own thought. Nevertheless, he was content that others might have the full credit of authorship, himself satisfied if by precept and suggestion he could lift the moral level of his people.

Alfred was modest and he had the rare statesmanlike quality of being able to estimate his own limitations. When Alfred got the upper hand of the Danes, he was content to consolidate and solidify what he had acquired. He did not make the mistake of his continental predecessor of the same race, Charles the Great, and continue the work of territorial expansion without nationalization, leaving to his successors an empire that should fall asunder. That Alfred knew his bounds and kept within them, is a tribute to his

[1] Harrison's Alfred as King, in Bowker's Alfred the Great, ch. 2, p. 41.

political sagacity. Without Alfred there could have been no Eadred, king of all England.

Alfred was not a believer in national isolation. He continued the allegiance of England to the papal court at Rome; he sent out expeditions to explore the Baltic and lands that were unknown to him, and established commercial relations with the countries of the continent. Further, Alfred was free from petty and provincial jealousies. His large-mindedness led him to recognize ability in others, and no matter of what nationality, the learned always stood upon an equal footing at his court. His example of toleration was really unparallelled and in advance of his age.

Alfred was methodical, prudent, systematic. There was no limit to his energy and no field of activity for which his talents did not seem to fit him. He was as fond of sport as of work. He followed the chase, patronized the crafts. His love of justice was proverbial, and he kept his finger constantly upon his judges; he allowed nothing to escape him. Busy man that he was, he found time to hear many appeals to his justice. His biographer says of those who sought the king they "knew that in the king's presence no part of their wrong would be hidden; and no wonder, for the king was a most acute investigator in passing sentence, as he was in all other things."[1]

He possessed a genius for organization and administration, an energy that was tireless, a readiness of mind and hand that grasped many of the practical arts in all their details; a versatility that enabled him

[1] Asser, 85.

to turn his activity from war to literature, from literature to finance, from finance to law, from law to the church, and in all showing the same aggressive interest and serving all with equal ability.

These are virtues enough to entitle their possessor to the name of Great. But with all these, Alfred possessed a fortitude, a courage in adversity that enabled him to turn defeat into victory, to ignore disease and physical comfort. He never ran away, as many of his contemporaries did, to escape the rigors of war and the odium of defeat. Unlike other great warriors, Alfred fought only for the defence of his country. He fought no wars of aggression; he wanted territorial expansion as rapid only as the national consciousness warranted. He was in no sense a destroyer of nations like Napoleon, but a maker of a nation; or, perhaps, to be more exact, I should say, the restorer of a nation.

Alfred's effort to place England upon a national basis and his conception of national character and national greatness constitute his highest claim to fame.

Of his personal appearance we have no record. Will this not enable us the better to remember Alfred — the ideal man, the perfect ruler! Alfred says of himself, "This I can now most truly say, that I have desired to live worthily while I lived, and after my life to leave to the men that should be after me a remembrance in good works."[1] What more fitting epitaph could be pronounced upon his work than his own words?

[1] Alfred's Boethius, in Turner's Anglo-Saxons, II, 31.

THE SPOTLESS KING.

I.

Some lights there be within the Heavenly Spheres
  Yet unrevealed, the interspace so vast;
So through the distance of a thousand years
  Alfred's full radiance shines on us at last.

II.

Star of the spotless fame, from far-off skies
  Teaching this truth, too long not understood,
That only they are worthy who are wise,
  And none are truly great that are not good.

III.

Of valour, virtue, letters, learning, law,
  Pattern and prince, His name will now abide,
Long as of conscience Rulers live in awe,
  And love of country is their only pride.

IV.

But with His name four other names attune,
  Which from oblivion guardian Song may save;
Lone Athelney, victorious Ethandune,
  Wantage his cradle, Winchester his grave.

— *The tribute of Alfred Austin, Poet Laureate of England.*

ALFRED A WRITER AND A PATRON OF LEARNING

BY PROFESSOR HENRY L. CHAPMAN, BOWDOIN COLLEGE

"Ever must the Sovereign of Mankind be fitly entitled King," says Carlyle. Alfred's claim to a sovereignty of mankind, and hence to kingship, rests not more upon his valor as a soldier, his skill and pertinacity as a commander, his practical wisdom as a legislator and ruler, than upon the spiritual elements of his nature which made him the teacher of his people, and their exemplar in intellectual and moral and religious character. He was nearly forty years of age, and had been king for at least fifteen years, before the distracted condition of his kingdom allowed him to turn his energies to the promotion of learning among his subjects, and to the preparation of books by his own hand for their enlightenment. Seven or eight of those years had been passed in continual and sometimes disheartening struggles against the fierce Danish invaders, and the other seven or eight years had been ceaselessly occupied in the restoration of his desolated kingdom,— in reorganizing his army, in building a navy, in re-establishing ruined monasteries and founding new ones, in rebuilding and fortifying towns, in repairing the devastation of every kind that had been wrought by the Northern barbarians. Then, with a far-sighted wisdom which justifies his title of "the Great," and with a singleness

and tenacity of purpose probably unexampled, he set himself to lay the foundations of a beneficent and stable sovereignty in the institutions of law, justice, education and religion.

"His noble nature," says the good bishop Asser, "implanted in him from his cradle a love of wisdom above all things;" and there is little doubt that, even from childhood, Alfred felt a profound and absorbing interest in letters. "He listened," says Asser, "with serious attention to the Saxon poems which (as a boy) he often heard recited, and easily retained them in his docile memory." And then the loyal Welsh bishop, who was the bosom friend of his royal master, and who reverenced him as much as he loved him, tells this engaging story of his childhood days: "On a certain day his mother was showing him and his brothers a Saxon book of poetry, which she held in her hand, and said, 'Whichever of you shall the soonest learn this volume shall have it for his own.' Stimulated by these words, or rather by the Divine inspiration, and allured by the beautifully illuminated letter at the beginning of the volume, he spoke before all his brothers, who, though his seniors in age, were not so in grace, and answered, 'Will you really give that book to one of us, that is to say, to him who can first understand and repeat it to you?' At this his mother smiled with satisfaction, and confirmed what she had before said. Upon which the boy took the book out of her hand, and went to his master to read it, and in due time brought it to his mother and recited it."

It is true that some difficulties have been raised about the dates associated with this story, and men have debated whether it was Alfred's mother Osburh or his step-mother Judith to whom Asser refers, and objections have been found in either case,— yet the story is far more specific than are the dates connected with it, and it is so consistent with Alfred's feeling for books, both in his youth and in his maturity, and the authority for it is so good, that it is accepted as substantially true, in spite of the difficulties I have mentioned.

Alfred's early interest in poetry and in books may have been quickened by his two journeys to Rome, where it is not unlikely that his boyish mind, sedate beyond his years, was impressed by what he saw and heard in the sacred city which was then the home of literature and art, as well as of religion. But in his father's kingdom of Wessex there was no opportunity for him to cultivate the love of learning which seems always to have distinguished him. By the time he had reached the age of eighteen Northumbria, which for two hundred years had been the home of English poetry and learning, was so completely ravaged and desolated by the heathen Danes that no religious houses or libraries remained undestroyed. Two years later East Anglia was similarly devastated, and the ruthless barbarians were directing their march toward his own land of Wessex ; and they had penetrated to its heart, and seemed to be its masters, seven years after Alfred had become its king. During his boyhood, his youth, and the early years of his kingship,

no conditions could have been more unfavorable for even the rudimentary study of books. He confessed to his bishop Asser, "with many lamentations and sighs" that this was "one of his greatest difficulties and impediments in this life, namely, that when he was young and had the capacity for learning, he could not find teachers; but when he was more advanced in life he was harrassed by so many diseases unknown to all the physicians of this island, as well as by internal and external anxieties of sovereignty, and by continual invasions of the pagans, and had his teachers and writers also so much disturbed, that there was no time for reading. But yet," continues Asser, "among the impediments of this present life, from infancy up to the present time, and, as I believe, even until his death, he continued to feel the same insatiable desire of knowledge."

As soon, therefore, as the improved condition of his kingdom afforded him even a little respite from the "anxieties of sovereignty" and the "continual invasions of the pagans," he set himself to the serious, and thereafter unintermitted, purpose of gaining knowledge and wisdom for himself, and of providing instruction for his subjects. Nay, he went farther, and, so far as possible, he *enforced* the claims of learning upon his people; and it is probable, as Mr. Stopford Brooke suggests, that "the English warriors and courtiers of a mature age were sorely troubled when the king compelled them to learn to read and write, or if they could not learn, to hire a freeman or slave to recite before them at fixed times the books

needful for their duties." It was not easy to put to school men who had reached and even passed middle life in utter ignorance of letters, and whose lives had been lived under the hard conditions that had blotted out the monasteries, the only seats of learning, and had made a soldier or a fugitive of every Englishman. What cannot be done with the old, however, may be done with the young; and hence arose Alfred's scheme of universal, if not compulsory, education of the young, an elementary education, to be sure, but valuable as a foundation of character and of intelligent citizenship. But it was nearly a thousand years — not until the nineteenth century — before his ideal of an universal primary education was even approximately reached in his own land, the England of boasted intelligence and freedom. When Alfred found that it was not practicable, and not even possible to incite the older men to a love of learning like his own, he sent the *sons* of the nobility, and of some who were not noble, to the schools in which his own children were taught, that they might learn to read both English and Latin books, and to translate the one into the other. "And this I would have you do," he wrote to the bishop of Worcester, "if we can preserve peace, to set *all* the youth now in England of free men, whose circumstances enable them to devote themselves to it, to learn as long as they are not old enough for other occupations, until they are well able to read English writing, and let those be afterward taught in the Latin language who are to continue learning and be promoted to a higher rank."

These simple and serious words of Alfred disclose a policy worthy of the wise and far-sighted ruler, who felt profoundly that the strength and stability of the state depended upon the character and intelligence of its citizens,— a truth that was far from being as obvious in the England of the ninth century as it was in the England of the nineteenth. But in order to carry out his scheme it was essential to have competent and consecrated helpers, and these he had already sought. "He would avail himself," says Asser, in one of the few passages in which his plain narrative rises into the fervor of poetical phrase and similitude,— "he would avail himself of every opportunity to procure coadjutors in his good designs, to aid him in his strivings after wisdom, that he might attain to what he aimed at; and, like a prudent bird, which rising in summer with the early morning from her beloved nest, steers her rapid flight through the uncertain tracks of ether, and descends on the manifold and varied flowers of grasses, herbs, and shrubs, essaying that which pleases most, that she may bear it to her home, so did he direct his eyes afar, and seek *without*, that which he had not *within*, namely in his own kingdom."

In the way thus figuratively described, Alfred sought out and drew into his kingdom, and to his help, men of piety and learning from every side, to be, first, his own teachers, and afterwards to assist him in teaching his people, in the English language, what, in his judgment, it was requisite for them to learn both of secular and of sacred knowledge. The

names of those whom he thus summoned to his aid constitute, in view of the service to which they were called, a veritable roll of honor, which it is grateful to repeat, albeit some of them seem strange to our ears, and form themselves but shyly on our lips: Werfrith, bishop of Worcester,— Plegmund, of Mercia, who was made Archbishop of Canterbury,— Athelstan and Werwulf, two Mercian priests, who became Alfred's chaplains and constant companions and teachers,— Grimbald, who came across the water from Flanders, and was put over the new abbey at Winchester,— John, the old Saxon, transferred from a monastery in Westphalia to Alfred's new monastery in Athelney,— and, finally, from the far borders of Wales, Asser, the bishop of St. David's, came to be the bosom-friend and the reverent biographer of the good king.

In this choice company of priests and scholars Alfred found, at once, the sympathy and the instruction which he craved, and it was not long before he became so much the master of the Latin language that he was prepared not only to co-operate with them, but to lead them in the education of his people. His ardent and energetic nature would not suffer either himself or his co-laborers to be languid in the great task to which he had set himself. He stimulated them, by the example of his own unwearied application and by his fervent and repeated exhortations, to constant diligence. And then he presented the unique spectacle of a king preparing with his own hands the books which his people needed to fit them

for their civic and religious duties, to acquaint them with the history of their own land and of lands beyond the sea, to fortify them against the ills of life, and to build them up in the practice of an unselfish and undismayed adherence to rectitude of character and of conduct. It was a new exhibition of kingliness, and as noble as it was new. The distractions and dangers to which he was still subject in the government of his kingdom, the physical suffering and disease from which he was never free,— these neither quenched nor interrupted the ardor with which he wrought at the difficult and self-imposed task. In doing this he changed, to use the words of the historian Green, "the whole front of English literature." Northumbria had been the home of English poetry, and the scriptural poems of Cædmon chanted upon the consecrated cliffs of Whitby, the tale of heroism and fate in the fine old epic of Beowulf, the Christian verses of Cynewulf and other Northumbrian singers, the riddles, and battle-songs and lyrics which are prized all the more because they are the survivors, doubtless, of many others that are lost,— these are the still-remaining proof of the vigorous life to which English *poetry* had attained before the disastrous invasion of the Danes. But English *prose* hardly existed at all. It was from Alfred's day that this tide of literary fashion suddenly turned, and English prose started vigorously into life. Theology, history, the lives of saints, and even the rudimentary science of the time were clothed for the first time in an English dress. A national literature, in fact, sprang suddenly

into existence which was without parallel in the western world. "English, therefore," to quote again from Mr. Green, "was not only the first Teutonic literature — it was the earliest prose literature of the modern world. And at the outset of English literature stands the figure of Alfred. The mighty roll of books that fill our libraries opens with the translations of the king."

These are translations into English from the Latin language which was, of course, an unknown tongue to the people generally, and far too often to the priests themselves who shared in the prevailing illiteracy, and whose conduct of the prescribed services of the church was unintelligent and parrot-like. It was necessary, as Alfred clearly saw, to communicate knowledge to the people in their own language or they must still remain illiterate, and even the priests must be incited to higher learning by appeals addressed to them in their mother-tongue. The spirit in which he entered upon this work, and the good sense which prompted it, and the manner in which he expressed himself and set up the earliest standard of English prose, are all well exhibited in the preface to what was probably the first book he translated, the *Cura Pastoralis* of Pope Gregory. The Preface was addressed to the bishop of Worcester, and runs, in part, as follows:

"King Alfred biddeth greet Bishop Waerferth with loving and friendly words, and I let it be known to thee that it has come very often into my mind what wise men there formerly were both among the clergy and the laymen, and what happy times there were then throughout England; and how the kings who had rule over the people

obeyed God and his ministers, and they kept peace, law, and order at home, and also spread their lands abroad; and how it was well with them both in war and in wisdom; and also how keen were the clergy about both teaching and learning and all the services they owed to God, and how men from abroad sought wisdom and teaching hither in our land, and how we must now get them from without if we would have them. So utterly had learning fallen away in England that there were very few on this side of the Humber who could understand their service-books in English, or even put a letter from Latin into English; and I think there were not many beyond the Humber. So few there were of them that I cannot think of even one when I came to the throne. Thanks be to God Almighty that we now have any supply of teachers. And therefore I bid thee do, as I believe thou art willing to do,— free thyself from the things of this world as often as thou canst, that thou mayst put to work the wisdom that God has given thee wherever thou canst. * * * * * *

"When I considered all this I remembered also how I saw, before it had been all ravaged and burnt, how the churches throughout the whole of England stood filled with treasures and books, and there was also a great multitude of God's servants, but they had very little knowledge of the books, for they could not understand anything of them because they were not written in their own language.

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"When I remembered all this I wondered extremely that the good and wise men who were formerly all over England, and had perfectly learned all the books, did not wish to translate them into their own language. But again I soon answered myself and said, 'They did not think that men would ever be so careless, and that learning would so decay.'

"Then I remembered how the Law was first given in the Hebrew tongue, and again, how when the Greeks learned it they turned it all into their own tongue, and also all other books. And again how the Romans did the same; when they had learned it, they turned all of it by wise translators into their own tongue. And also all other christian peoples turned some part of the old books into their own tongue. Therefore it seemeth better to me, if it seemeth so to you, that we also turn some books — those which are most needful for men to know — into the tongue which we can all understand.

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"When I remembered how the knowledge of the Latin tongue had before this fallen away throughout England, and yet that many could read English writing — then I began amidst other divers and manifold

occupations of this kingdom to turn into English the book which in Latin is named *Pastoralis*, and in English *Shepherd's Book;* sometimes word for word, sometimes meaning for meaning, as I had learned it from Plegmund, my archbishop, and Asser, my bishop, and from Grimbald, my mass-priest, and from John, my mass-priest. When I had learned it so that I understood it, and so that I could quite clearly give its meaning, I turned it into English," etc.

In this preface, the nobility of which one feels is somehow heightened by its touch of pathos, we have an exhibition, beyond any power of description, of Alfred's serious and beautiful concern for the spiritual welfare of his subjects, and for the true greatness of his realm; an exhibition also of his practical wisdom and sound judgment in seeing, from the history of other nations, that his own people could be enriched with the treasures of wisdom and knowledge only as these were brought to them in their native speech. It is, moreover, an engaging picture of the king's modesty, and of his eagerness to enlist the service and co-operation of his chosen friends in the great work to which his own heart was committed. And finally it is a good example of the simple and affecting power with which he handled the resources of the common speech, and in clearness, dignity, and individuality of tone, furnished a model for the prose-writers of his time and for those who should come after him. It is hard to see why it does not substantially conform to the famous definition of *style* which Matthew Arnold carefully formulated a thousand years later, as "a peculiar recasting and heightening, under a certain condition of spiritual excitement, of what a man has to say, in such a manner as to add dignity and distinction to it."

The books which Alfred unquestionably wrote, as translator and editor,— handling freely the original material by addition, omission, and re-arrangement,— are four in number. They are the *Cura Pastoralis*, of Pope Gregory, a manual of training for the priestly office, and of the duties of the clergy, setting forth the great Pope's ideal of a Christian priest; the *Ecclesiastical History of Britain*, by the Venerable Bede, a history not merely of the church but of the English people from the point of view of a Christian ecclesiastic and a monk; a *History of the World*, by Orosius, a Spanish monk and disciple of St. Augustine; and the *Consolations of Philosophy*, by Boethius, written in the prison where he lay awaiting execution on the charge of conspiracy and treason.

It would be instructive, if time permitted, to dwell upon the characteristics of these four books, and upon Alfred's way of dealing with each of them. The book of the *Consolations* has a peculiar interest because it contains so much that is not translation but the personal contribution of the king. It is the fullest revelation of the charm of his style and of the nobility of his spirit,— and the two seem to be inseparably combined.

"The whole range of ancient and modern literature," says Mr. Frederic Harrison, "contains nothing more genuine, more natural, more pellucid. He is not composing a book to be studied, admired, or criticised. He is baring his whole soul to us. He speaks as one on his knees, in the silence of his own chamber, in the presence of his God, who is pouring forth

his inmost thoughts, hopes, and sorrows to the all-seeing eye, which knoweth the secrets of every heart, from whom nothing is hidden or unknown. And as he opens to us his own soul, as freely as he would bare it to his Maker, we look down into one of the purest, truest, bravest hearts that ever beat within a human frame."

THE ANGLO-SAXON CONSTITUTION AND LAWS IN THE TIME OF ALFRED THE GREAT

BY HON. ALBERT R. SAVAGE, AUBURN

It is not without some degree of premeditation that I have chosen to call the constitution and laws in the time of King Alfred, Anglo-Saxon, rather than English, for there was really no England at that time, no united government of that territory now known as England. The amalgamating process begun by Egbert a century before Alfred was not complete. Alfred himself, in the preface to the laws or dooms published by him, calls himself, "I Alfred, King of the West Saxons."

It is not easy to ascertain with exactness what was the Anglo-Saxon constitution and what were their laws in the time of King Alfred. It was a period of transition in manners and customs. It was also such a period, in some respects, so far as relates to the laws. There was no written code of general law, nor was there any written constitution. Indeed, there were few written laws of any kind, and those were directed mostly to wrongs against the king, or injuries to private persons, what we should call criminal or tortious. Such were the laws or dooms of Æthelbehrt and Wihtraed of Kent and Ine of Wessex. Such were the laws promulgated by Alfred himself. Of fundamental, organic law, there are few records, and our information is fragmentary and obscure. Our knowledge of the dress and dialect of our ancestors is more

definite than that of their laws. The most profound commentators upon the laws of that period are constantly obliged to have recourse to such words and phrases as "perhaps," "probably," "possibly," "may have been," and "might have been."

It has not been much more difficult to reconstruct ancient customs and laws from ruins and hieroglyphs, than it has been to ascertain what was Anglo-Saxon law of any particular period, from the faint traces that have come down to us. Some things, of course, are certain. Many others are entirely uncertain, if we seek to refer them to any definite period. Occasional landmarks may be found which direct the inquirer with more or less certainty. But, generally speaking, one who enters the domain of constitutional law in the time of Alfred is venturing into a wilderness in which the paths trodden by generations of men before him have become obliterated by the lapse of time.

Using the term *constitution* as meaning a permanent system of government, a system enduring from generation to generation, and not changeable by the will of the monarch, or by any other means except the silent process of the ages, or by revolution,—such a constitution has been the fundamental law of England from the earliest conquests of the Saxons to the present time. Such a constitution was the outgrowth of the character of the people themselves and of their environment, both in the fatherland from which they came and in the confines of Britain, rather than the work of any one man or body of men. No

king made it; no king can unmake it. The genius of Alfred the Great, monarch, legislator, statesman, victorious general, left no trace upon it. He left it as he found it. I mean, of course, he left no trace upon the organic system. There is no doubt, however, that the influence of his life, which is the precious heritage of all English-speaking people, had much to do with the development of English constitutional principles. Upon his monument at Wantage is a single line, which tells truly what his relations were to the constitution and laws of his time: —

"The laws were powerless, and he gave them force."

Using the term "laws" as meaning those enforceable rules of conduct which govern the relations of men among themselves, and their relations to the governing power, there were in Alfred's time both written and unwritten laws. The great body of the law was unwritten, and consisted of immemorial customs and usages, which had the force of law and were recognized as such.

Besides these, there were the written laws, the statutes or dooms of different monarchs, who promulgated them with the consent of their councils of wise men, or witenagemots. It is probable that these statutes were for the most part the written expression of customs already existing.

The Anglo-Saxon conquerors of Britain brought with them the body of their law,— the customs which ripened into law, and which have become familiar to us through the writings of Tacitus and Cæsar. The conquered Britons were practically destroyed as a

race. They left scarcely a trace of law or language. The Romans who had been lords of the land for more than four and one-half centuries, were equally unfortunate. Not a Roman law or institution survived the invasion of the Jutes. The Jutes and Saxons invaded Britain to stay. The entire tribe of the Angles immigrated to Britain. They took their wives and children and household gods with them. They transplanted their laws and institutions, and began a new Germany in Britain.

It is certain that the early Saxon in England dwelt under the same customs as his father and grandfather had dwelt under across the the North Sea. For several centuries progress was slight and development was slow. The dooms of Æthelbehrt of Kent, which were published about the end of the sixth century, and which are said to have been the first written German laws, in a pure German tongue, seem to assume the existence of general customs, but do not modify them.

Five centuries later, at the end of the Saxon period, it is found that only traces remain of some ancient customs, while new customs, unknown to the Germans, are firmly entrenched. To point out the time of most of these changes, within the period of a century, is now practically impossible.

It follows, therefore, that when one attempts to write or speak about the laws in the time of Alfred, he must be understood as referring to that period of a century or two which ends with the reign of Alfred.

The England of Alfred, like the England of to-day, was a limited, constitutional monarchy. By "constitutional" is meant that the government was established and maintained according to certain established customs or laws, not written, but understood, to break which was revolution.

The Saxons in the fatherland had no king. The valiant dux who led them in war laid aside his power when peace returned. But in those troublous times, when turbulent invaders were in constant conflict with the native Britons, or with other turbulent tribes of invaders, whose territory adjoined their own, it was an easy and necessary step to make their bravest, strongest military leader their king. The king was not absolute, nor was the kingship strictly hereditary. Theoretically, the kingship was elective. No English king until long after the Norman conquest ever mounted the throne without an election by the witenagemot, that is to say, without their expressed assent. Even William the Norman Conqueror bowed his neck to the Saxon constitution, and called together the witenagemot to confirm his right to the throne. It may be that the wise men who voted that he be king had much regard for their own necks; at the same time, it is clear that William thought that the crown would be steadier on his head if he followed the custom of Saxon-England.

And the witenagemot which elected had also the power to depose the king, a power which was sometimes exercised.

I have said that the kingship was not strictly hereditary. But it usually happened, even in the earlier days, that a powerful king, who had a son grown up and competent, could secure his succession to the throne. Sometimes he admitted the son to a share of royal power in his own lifetime. More frequently he left his son in possession of so much power that none cared to dispute it. Out of a maze of darkness there finally comes to be established this constitutional principle that the succession is to be restricted to one family, a rule not departed from except in case of great emergency or revolution. The choice seems to have been limited, as Stubbs says, to the best qualified person standing in close relationship to the last king. Generally a son, or brother, or other near kinsman was chosen. And as I have already said, when a king of mature years died, his eldest son usually was regarded as the best qualified to succeed. But as a matter of fact, the cases of succession of son to father in the heptarchic kingdoms were few indeed. In Wessex there was not one instance from 685 to 836. It was almost equally so in the other kingdoms. Their reigns were generally short; the kings died young; their sons were only children. After the death of Egbert, the founder of that West Saxon dynasty which has endured to the present day, the hereditary principle was maintained, but only as a principle, for the crown rarely descended from father to son. Alfred himself was the fourth son of Ethelwulf, son of Egbert, and succeeded his elder brother Æthelred, being chosen by the witenagemot, in preference to

the minor son of Æthelred. So it appears that the kingship was not only elective in theory, but selective in fact. This selection belonged to the witenagemot, or assembly of wise men, both when it was merely a formal election and when there was a selection by free choice, as sometimes happened.

The election itself was exercised by the witan in general assemblies of the whole nation; that is to say, in general assemblies of so many of the people as lived near enough to the place of election to attend it. The popular concourse took no part in the election, but expressed their approval of it by the shaking of spears and the clanging of shields. This popular approval was deemed an additional security to the stability of the incoming monarch's reign.

The witenagemot was composed of the bishops, the ealdormen or magistrates of the shires or provinces, and a number of the king's friends and retainers, members of the comitatus; and as these latter were appointed by the king, it was easily possible for him, by appointments, to secure favorable action from that body. Sometimes, however, the witenagemot was stronger than a weak king, and sometimes, too, it was the scene of factional contests between powerful retainers, while the king is little more than a puppet tossed between the two, as in the case of Godwin and Leofric in the reign of Edward the Confessor.

But in other respects than the royal succession the witan was a limitation upon the power of the monarch, for the part taken by the witan was real and seemingly authoritative. How much real authority it possessed,

however, may be a matter of conjecture. In the early days and under the weak kings, no doubt the decision of the council was arrived at by independent voting. It is probable, however, in later times, when the power of royalty became more firmly established, that the will of the king was seldom thwarted by adverse determinations of the witenagemot.

It is to be noted that although the various codes of Anglo-Saxon laws were originated or drafted by the kings whose names they bear, in no instance did a king assume the authority to promulgate a code without the counsel and consent of his witenagemot. The witan, therefore, seems to have possessed the theoretical power of veto upon legislation. This power was of little consequence, however, for it was rarely or never exercised, and also for the reason that there was but little constructive legislation. The dooms of Ine and Alfred are supposed to have been but little more than the re-enactment of existing customs, or putting them into written form.

Again, the advice and consent of the witenagemot seem to have been essential to the validity of royal grants of the public demesne. It was customary that transfers of land should be made with certain particularities, and before witnesses. Many charters to religious houses were passed under the hands of the witenagemot, though the grantor was some powerful person other than the king. But "when a grant was made by which the land given was released from special obligations and made alodial and heritable forever, the consent of the nation, the owner, as must

be supposed, of the land so released, was imperatively necessary."

The community from of old had possessed and exercised the power to regulate all changes of ownership which affected their own body, and in consenting to royal grants, the witenagemot were the representatives of the community.

The witenagemot was also a court of justice of last resort. It heard causes and decided suits. To its judgments the king himself was amenable. By it he might be compelled to restore that which he had unjustly taken from others. By it, kings might be imprisoned or outlawed or deposed. It is said that the criminal jurisdiction of the witenagemot had not varied much from the days of which Tacitus wrote to the time of Edward the Confessor.

The reader of later English history, as well as the student of Anglo-Saxon character, may not be surprised — he certainly will be gratified — to know that even in those remote ages, the witenagemot possessed in some degree the power of the purse and the sword. That the witenagemot was consulted in the determination of war and peace, and also in the conduct of warlike measures, is beyond dispute. So in the case of extraordinary taxation. This was levied only with the consent and counsel of the witan. General taxation as we understand it was unknown. The ordinary royal needs were supplied by the income of the royal farms and the public lands, and "all local requirements were met by the alodial obligations discharged by personal services."

The English king, therefore, was a limited monarch, in theory and in practice. To what degree he was limited in practice depended, however, upon the character of the king himself, and of the time in which he reigned. Although he was surrounded by constitutional limitations, a strong king was not much restrained by them. They were easy to break through. The witenagemot was the sole organized official restraint upon the king. It was originally the council of the nation. But as the king possessed the power of appointment, and by enlarging the number of his retainers could secure a majority in favor of his policy, it became the council of the king.

Mr. Stubbs very happily epitomizes the constitutional character of royalty as follows: "The king is neither a mere ornamental appendage nor a ruler after the imperial model. He is not the supreme landowner, for he cannot without consent of the witan add a portion of the public land to his own demesne. He requires their consent for legislation or taxation, for the exercise of jurisdiction, for the determination of war or peace. He is elected by them, and liable to be deposed by them. He cannot settle the succession to the throne without their sanction. He is not the fountain of justice which has always been administered in the local courts; he is the defender of the public peace, not the autocratic maintainer of the rights of subjects who derive all their rights from him. But notwithstanding, he is the representative of the unity and dignity, and of the historical career of the race; the unquestioned leader of the host; the

supreme judge of ultimate resort. The national officers are his officers, the sheriffs are his stewards, the bishops, ealdormen and witan are his bishops, ealdormen and witan. The public peace is his peace; the sanction which makes him inviolable and secure is not the simple toleration of his people, but the character impressed upon him by unction and coronation, and acknowledged by himself in the promises he has made to govern well and maintain religion, peace and justice."

As a part of the organic system of government, some notice must be paid to the courts of justice, which in the time of Alfred had assumed some permanent form. Originally, Saxon freeholders met armed, from time to time, with more or less regularity, and their meeting was at once a parliament, a muster and a court. All meetings or moots were held upon the open moor, and usually in places dedicated to that purpose by some ceremonies and long use. Below the witan, which was in some sense a court of appeal, there was first the folk moot, or county court. Theoretically, at this court, before which all greater civil and criminal cases within the shire or county were tried, the king sat as president. And if he were not personally present, the ealdorman of the shire presided in his stead. He was a local magistrate, named by the king. From his title comes the English earl, which the Normans call count. With the king or ealdorman as present, sat the grand jury of a certain number of freeholders. The procedure in criminal and civil trials was the same. The functions

of the grand jury, or the jury — for the distinction between grand jury and petit or traverse jury was unknown in the time of Alfred — are not clearly known. The same jury which indicted the accused afterwards tried him. It was not until the fourteenth century that men who had as members of the grand jury indicted a person were forbidden by law from afterwards sitting upon the petit jury which tried him. The indictment itself was a presentment to the king's justices, in most cases oral merely, of such persons as were reputed to be guilty of crimes. It is not known that they heard evidence, certainly not in all cases. The accused were presented on suspicion or reputation, rather than upon prima facie proof, as with us. If the accused, after indictment, pleaded "not guilty," unless he had been caught red-handed in the act, he was allowed to attempt to prove his innocence by customary rules, by ordeal or the oaths of compurgators. If he failed, he was sentenced to the customary or fixed penalty by the king, which was generally a bot or compensation to be paid to the injured party, or, if he had been slain, to his family, and usually there was also a fine to be paid to the king. A few offences, like secret murder, murder of kin, arson, witchcraft and treason, were bootless, and were punished by death or exile. Christian men offending against church law also were subject to heavy penances from the church, which were settled at church councils by the archbishop's authority.

It seems strange to us, in speaking of our Anglo-Saxon forefathers even a thousand years ago, that

reputation or suspicion was taken for proof, that one suspected of crime and so presented by the grand jury, should be presumed to be guilty unless he proved himself innocent, the exact reverse of our present safeguard that the citizen is presumed to be innocent until he is proved to be guilty.

Again, what grotesque forms of justice, when the accused was permitted to prove his innocence, in the early days, by his own oath of denial alone, and when that was seen to be productive of perjury and unsafe to the public, by the oaths of compurgators, that is, by oaths of a certain number of his neighbors, who were freeholders. The number varied according to the character of the offence and the social standing of the accused. The oath was simply that they believed that the accused had sworn truly.

If it was not the first offence, or if the compurgators did not agree to make the oath, or sometimes at his own option, the accused was put to the ordeal. The trial by ordeal was either by fire or by water. In the ordeal by fire, the accused was caused to pass blindfolded and barefoot over nine hot, glowing ploughshares, or to carry burning irons in his hands, and according as he escaped burning or not, he was acquitted or condemned.

The water ordeal was performed either in hot or cold water. In the cold water ordeal, the accused was thrown into a body of water. If he sank, he was deemed innocent; if he floated, he was undoubtedly guilty. So if after putting his bare arms or legs into

scalding water, he came out unhurt, he was taken to be innocent; otherwise, guilty.

These devices seem to us to be particularly calculated to condemn the innocent; that only crafty, subtle knaves would know how to avoid the consequences of the ordeal. But the theory of our fathers was that God would by the mere contrivance of man, exercise His power in favor of the innocent.

Beneath the folk-moot or shire-moot or county court, were the hundred-moots and the hall-moots. The hundred in the days before Tacitus probably signified such a compact body of the population as could furnish one hundred men for military service; but though the name remained, it is probably true that it never signified any exact number of men in England, but it came rather to be applied to a subdivision of the community, smaller than the shire or county, and larger than the borough or township. We may call it a district. The hundred-moot had original civil and criminal jurisdiction within the district. It had a grand jury, and could enforce the attendance of persons from each vill or township in the district. It met regularly, probably quarterly, and did the kind of work which was afterwards, in the reign of Edward the Third, transferred to his justices of the peace,—and very likely the same general work that justices of the peace and trial justices do in our State to-day.

Then there were the hall-moots, held under the lord of the township or his deputy, which had jurisdiction of small civil cases and misdemeanors. They correspond to the Norman courts baron. Traces of

hall-moots still exist in England, where the lord of the estate, in some cases hereditary, has territorial jurisdiction over petty offences and minor civil complaints. The local tenure of land and local agricultural customs and rents chiefly gave rise to the business of hall-moots.

In this connection, it may be noticed that there was another officer in the shire connected with the administration of justice besides the ealdorman, a local freeholder, elected by his fellows, but no doubt at the nomination of the king usually. He was called the scir-gerefa, that is the shire-reave, or sheriff. It was his duty to look after the king's estates in the shire, and the king's rights, dues and fines. He was the king's representative in the matters of finance and the execution of justice.

Of the laws of land tenure in the time of Alfred, I do not propose to speak at length. The relation of the subject to the land upon which he dwelt furnishes matter for many volumes of black-letter law. The rights acquired by the various grades of ownership of land and the duties imposed upon him who cultivated it were customary. They depended upon customs, the origin of which is uncertain, but which reach back to the time beyond which the memory of man runneth not to the contrary. These customs had the force of law. Time will not permit, nor would it serve any good purpose to resurrect this body of law from the dust in which it has long lain buried, and in which it has been disturbed in recent centuries only by schoolmen, whose writings are as dry and

dusty as the law itself. It is of interest only to antiquaries.

I will give you briefly, as an illustration, the condition of the various landed classes, as stated in an old law tract of the tenth century:

"Of the gentleman or thane (thegen). It is his law that he is worthy of the right of book or charter (i. e., to convey or devise his land according to his charter), and that he must do these things for his land, war-service, fortress help, and bridge-work. Also on many lands more land-right (rent-duty) ariseth at the king's ban or summons, such as maintaining of a deer-fence for the king's vill, and clothing for war, and guarding of the sea, and head-ward, and army-guard, alms-fee and church-scot, and many other divers things.

"The geneat's or peasant's right is divers, according to the custom of the land. On some lands he must pay rent (land gavel) and a grass-hog a year, and ride and carry and take loads, work and maintain his lord, and reap and mow, hew deer-fences and keep up hedges, build and make enclosures, bring new fare to town, pay church-scot and alms-fee, keep head-ward and horse-ward, do errands far or near, whithersoever he be told,

"The cottar's right, according to the custom on the land. On some he must work all Monday the year through for his lord, and three days every week in harvest; and on some lands all days throughout August, and must mow an acre of oats a day, and he shall have his sheaf, which the reeve or lord's bailiff shall give him. He need not pay rent (land-gavel). He ought to have five acres — more if it be the custom of the land — and it is too little if it be less, for his work is often used. He pays hearth-penny on Holy Thursday, as every freeman is bound to do, and he must ward his lord's inland or demesne, if he be summoned so to do, making sea-defence or king's deer-fence and such things as his measure may be, and he pays his church-scot at Martinmass.

"The gebur's or small farmer's rights are divers; in some places they are heavy, in some middling or light. On some land it is so that he must work two days week-work, whatever work he is told off to, the first of each week, the year through, and at harvest three days week-work, and at Candlemass and Easter three. If his horse is being used (for his lord's service), he need not work while his horse is out. He must pay at Michaelmas Day ten pence rent, and at Martinmass Day twenty-three pence and a bushel of barley and two hen-fowls; at Easter a young sheep or two pence, and he shall from Martinmass to Easter lie

at his lord's fold as often as he is required. And from the time when men first plow up to Martinmass he must each week plow one acre, and clean the seed himself in the lord's barn; moreover, three acres of corn work and two of grass-plowing; if he need more grass, he must plow according as he is permitted. Of his rent-plowing he must plow two acres and sow it out of his own barn, and pay his hearth-penny; he must feed a hound in equal share with his fellow, and every small farmer must pay six loaves to the swain or swine-herd when he drives his herd to mast. On the same land whereon this custom holds the small farmer must be given, for stocking his land, two oxen and one cow and six sheep, and seven acres sown on his yardland. But, the first year over, he must pay all the dues that he is bound to. And he is given tools for his work and furniture for his house; and when he dies, what he leaves goes back to his lord. * * * * In some lands the small farmer must pay honey-rent, on some meat-rent, on some ale-rent."

I can only briefly notice the character of the Anglo-Saxon statutes. The only substantive rules that are at all fully set forth in the dooms of the Saxon kings have to do with offences and wrongs, mostly of a violent kind, and with theft, mostly cattle stealing. Except so far as involved in the law of theft, the law of property is almost entirely left to the region of unwritten custom and local usage.

The law of contract is rudimentary only. Preservation of the peace and punishment of offences was the chief business of the magistrates and the courts. Inasmuch as ownership was usually accompanied by possession, practically possession was or seemed to be of more consequence than title. It was the right of possession that had to be defended; and undisputed possession was the foundation of title.

There was little trade; no demand for credit. Our ancestors did all their business in person, and executory contracts were little known. On the other hand,

man-slaying and feuds were constant. A man's life had its price. Full scales of composition or tariffs were established. A freeman's life had a regular value placed upon it, called wergeld, or man payment; and so for injuries less than death. And composition, if offered, had to be accepted. Private war was lawful only when an adversary refused to do right. The king or the earl might interfere if an adversary was contumacious. Punishments, besides death or banishment, were pecuniary. Imprisonment was only used as a means of temporary security. Some distinctions in the grade of homicide appear even in that early day. It was aggravated if committed in the presence of the king or in breach of the king's peace.

It was punishable by larger fine if committed secretly than if done openly. Murder, or "mordh," the word from which we get murder, at one time meant only killing by poison or witchcraft. An outlaw might be slain without risk, and so might a thief flying from justice. So might an adulterer taken *in flagrante delicto* by the woman's husband, father, brother or son.

I close with a word concerning the statutes which were promulgated by Alfred himself. One cannot read them without being reminded of the laws of Moses. In fact, Alfred's book of laws contains large extracts taken almost literally from the Jewish law. Offences are defined with the utmost particularity. Compensation, or bot, is provided for all possible injuries which one man might receive from another. It is one bot to strike out another's eye, but less if it

remain in the head, although he cannot see with it. There is a bot for striking off a nose, or a tooth; and if a front tooth, the bot is 8s, a canine tooth 4s, a grinder is worth 15s. There is so much for smiting a cheek or cleaving a chin bone, or piercing a windpipe, or doing a tongue out of another's head, or for wounding the shoulder so that the joint oil will flow out, or breaking both arm shanks, or striking off a thumb or a nail, or shooting finger, or its nail; another bot for the middlemost finger or its nail, still another for the gold or ring finger or its nail, still another for the little finger or its nail, the bot for which latter is 1s. There is a bot provided for wounds to the lower limbs, the ribs, sinews or tendons. Injuries by dogs are dealt with elaborately, the compensation increasing after the first bite. So injuries by other animals. And so forth.

I quote one doom, because it is peculiarly expressive, showing the minute care which the statutes of the day had of the conduct of men:

"If a man have a spear over his shoulder, and another man stake himself upon it, the law was that he pay the wer, that is, the man's price, without the wite or fine. If he stake himself before his face, let him pay the man 'wer' payment. If he be accused of wilfulness in the deed, let him clear himself according to the wite; and with that, let the wite abate. And let this be, if the point be three fingers higher than the hindmost part of the shaft. If they be both on a level, the point and the hindmost part of the shaft, be that without danger."

Our Anglo-Saxon fathers in the time of Alfred were governed very much as the children of Israel had been governed several thousand years before, by line upon line, precept upon precept. The Anglo-Saxon

world was still in social infancy. The great principles which now regulate men in their relations with one another were little known or understood. The law undertook to govern men as we govern children, not by general rules, but by specific commands and specific prohibitions. It was "Do this"; "do that"; "you mustn't do this"; "you mustn't touch that." Such was law in England then. But out of that England, inspired probably by no one more than by the genius of Alfred the Great have arisen those great and far-reaching principles of government known as the Common Law, upon which rests the best civilization the world has ever known.

ALFRED THE GREAT AS A CHRISTIAN

BY ASA DALTON, D.D.

We have been told what King Alfred was as a statesman and scholar, and it only remains to say a few words of him as a Christian.

Popular accounts describe him as eminently good throughout his life. The truth is, however, that a beautiful boy, the darling of his parents, and very bright, he afterwards regretted that his youth was one of frivolity, in which he failed to improve the opportunities allotted him by his rank. He was not, indeed, the heir apparent, and did not become king till after the death of his brothers.

After this event, he awoke to a sense of the situation and its responsibilities, but not fully even then, till a painful illness chastened his youthful spirits, and was the occasion of turning his thoughts to higher things. Returns of his disorder were frequent, and doubtless had an influence in shaping the seriousness of his aims, and the loftiness of his character. Henceforth till his death, he "strove to live worthily" and so that he would be remembered gratefully by later generations.

Owing to the inroads of the Danes and other causes, the country was in great confusion, and had sunk so low as to learning that south of the Thames there was scarcely a priest who could translate the Latin service books into English. Churches and monasteries had

been destroyed by the Danes, and many of the clergy slain. Consequently, Alfred had to undo the evil, as well as to do the good which was required by this sad state of affairs. He first invited scholars from the Continent, established schools, founded monasteries aud convents, which were as natural and fitting in that generation as our institutions now are to us. The education he planned was for all freemen and their children.

When nearly forty years old, he occupied himself with the study of Latin and the translation of Gregory the Great's "Pastoral Rule," Bede's English and Grotius' General History, also the "Consolations of Philosophy" by Boethius.

Thus he laid as broad a foundation for the uplifting of his people as was possible in that age. A high sense of the duty he owed them, seemed to have constrained him to devote all his time, resources, and talents to their improvement. His time he divided into three parts of eight hours each, eight for sleep, eight given to public offices, and eight to works of charity and piety. He distributed his money, on the same principle, in four parts. One quarter he gave to the support of schools, one quarter to the churches, one quarter to the poor, and one quarter to the founding of churches and religious houses.

The institutions of that age differed in many respects from those to which we are accustomed, and King Alfred not only conformed to them, but believed in them. Yet Christian piety was the same in him as in the saints of all ages, and shone as brightly as it

has in any subsequent time. Alfred was great as a soldier and as a statesman, as a scholar not so great, but as a Christian he was the greatest of all, and ought to be called Alfred the Good.

All accounts agree in representing Alfred as wholly devoted to his duties as soldier, statesman, and educator. The real question, however, is, what was the secret of this spirit of service, the mainspring of his constant activity, and consecration to his mission as he saw it. This mission was first to repel invasion, and then to arrange such a settlement of the country as would insure peace and prosperity. He lamented the decline of learning, and consequent prevailing ignorance of all classes, including the heads of church and state. To secure his ends, he made reasonable, even magnanimous conditions for all the vanquished Danes, as well as his own kith and kin. Religion was the wide basis of all and the governing principle. By religion, I mean his personal piety, a hearty recognition and reception of the Christian religion as a guide of life equally for himself and his people.

His was not the coldly calculating policy usually ascribed to kings and their counsellors, but a personal conviction and faith that pure religion is the key of all progress for princes and peoples alike. What he professed he performed, living up to his professions, and so still presenting the highest type of a ruler which our race has known.

He is to the whole race what Washington is to us, more than Charlemagne was to the Franks, very much more than Peter the Great to Russia. The contrast

between Alfred and Peter as men is even greater than the contrast between the civilization of Russia and that of the English-speaking race.

But over Alfred and behind him was a Divine Providence which guided the orderly development of individual men and of the race, a Providence whose purposes ripened with the ages, with whom a thousand years are as one day, and one day as a thousand years.

"For all the saints, who from their labors rest,
Who Thee by faith before the world confess'd
Thy name, O Jesus, be forever bless'd.

Thou wast their rock, their fortress, and their might,
Thou, Lord, their Captain in the well-fought fight,
Thou, in the darkness drear, the Light of light.

O may thy soldiers, faithful, true, and bold,
Fight as the saints who nobly fought of old,
And win, with them, the victor's crown of gold.

O blest communion, fellowship divine!
We feebly struggle, they in glory shine;
Yet all are one in Thee, for all are Thine.

And when the strife is fierce, the warfare long,
Steals on the ear the distant triumph-song,
And hearts are brave again, and arms are strong.

The golden evening brightens in the west;
Soon, soon to faithful warriors comes the rest;
Sweet is the calm of Paradise the bless'd,
Alleluia."

RICHMOND'S ISLAND

BY HON. JAMES PHINNEY BAXTER

Read at a Field Day Meeting of the Maine Historical Society at Richmond Island, September 12, 1884

On the 9th day of July, 1605, a little bark was making its way southwardly across Casco Bay. It bore that brave Christian gentleman, Samuel de Champlain, and his friend, the Sieur de Monts, with other gentlemen of France, two Indians and twenty sailors. They had passed a winter of great suffering at the mouth of the St. Croix, and were seeking a suitable place for a settlement. Keeping in their course, they passed several wooded islands which concealed from their western view a harbor which, had they discovered it, would have satisfied all their requirements, and repaid them for all their toil, but which was reserved by Providence for an adventurer of a rival race and of an unfriendly faith to take possession of and occupy. The harbor which the French adventurers passed unperceived was Portland harbor, and the man who was to lay upon its shores the corner stone of a flourishing city, was George Cleeve, then living unknown in Old England, and undisturbed by any dream of a future life in the then almost unknown New World on the other side of the misty Atlantic.

Still sailing, but in a more westerly course, the little bark skirted the wooded shores of Cape Elizabeth,

and coming in sight of the broad level beaches of Old Orchard, then uncovered by the tide, and gleaming as white as snow to their admiring gaze, they dropped anchor to await the rising of the tide, which should float them over the bar which lay between them and the mouth of the river which they saw pouring its waters into the bay beyond. The strange sight of the white-winged craft, so unlike their own frail canoes, attracted the natives as she sailed along, and they quickly gathered along the shores, building fires, gesticulating, and dancing to attract the attention of the pale faces. Not far away was a large wooded island, which the Sieur de Monts wished to explore, and taking one of the ship's boats, he directed his course thitherward. Standing upon its sloping shores, the eyes of the strange visitors were delighted by the luxuriant groves of oak and nut trees which covered it, and whose broad spreading arms were burdened with the vines of the wild grape heavy with their immature fruitage; indeed, so abundant was the growth of the vine beloved by gods and men, that de Monts at once aptly bestowed upon it the name of "Bacchus" Island. Here, also, were plots of waving maize, of beans, pumpkins and squashes, then in blossom, all of which were cultivated successfully by the Indians living in the neighborhood.

When the tide served the voyagers crossed the bar, and, soon after, sailed away, leaving the red men in undisturbed possession of their pleasant domains. Year succeeded year, and although the nations of Europe were looking across the Atlantic, and each

was emulous of establishing its rule on the soil of the New World, the shores of Casco Bay were neglected. True, the ships of Smith, and occasional vessels fitted out by adventurous merchants to fish in the teeming waters with which they were washed, or to trade with the natives by whom they were peopled, visited them, but no attempt at a settlement was made until eighteen years after the visit of Champlain, when Christopher Levett, a native of York, sailed upon the coast, first touching upon the Isles of Shoals from whence he sailed to the mouth of the Saco, which he describes as issuing from a great hill lying to the west called by the Indians the "Crystal Hill," which could be seen when approaching the coast from any point between Cape Cod and Monhegan Island. It was towards this wonderful hill, which we recognize as the most prominent peak of the White Mountain range, behind which they nightly beheld with admiring awe the sun withdraw itself, that the red men were wont to point when Levett asked them where their heaven was.

About the mouth of the Saco, were cleared grounds, fine groves of timber and abundance of game. From here Levett pushed eastward, coming to a place about two leagues from Cape Elizabeth called by the Indians "Quack." This, he tells us, is a bay or sound between the main land and certain islands lying about a mile and a half from the shore. The harbor he describes as formed by four islands; the land in the vicinity excellent, and the fish and game abundant. This is the first description which we have of Portland

harbor, where, had not Champlain missed it eighteen years before, Levett would have probably found a French colony in possession. As it was, however, he sailed up the harbor and entered a river to which he gave his own name, and which abounded with salmon and other fish. Shortly after this he obtained permission to settle a plantation at "Quack," from the sagamore of Saco, "who," he says, "as I conceive, hath a natural right of inheritance." He continues: "I sailed to Quack or York with the king, queen and prince, bows and arrows, dog and kettle, in my boat, his noble attendance rowing by us in their canoes." Here he found several English ships from Weymouth, engaged in fishing, and being asked by the wife of the sagamore if their crews were his friends, Levett told her they were, when she welcomed them to her country, and drank to them; "and," continues Levett, "she drank also to her husband and bid him welcome to her country too; for you must understand that her father was the sagamore of this place and left it to her at his death, having no more children. And thus after many dangers, much labor and great change, I have obtained a place of habitation in New England; where I have built a house and fortified it in a reasonable and good fashion, strong enough against such enemies as are these savage people."

Leaving ten men in possession of his plantation, to guard his house and probably to clear and till the land, Levett set sail for England in 1624, intending to transport his family to a new and permanent home in Casco Bay. That this was his intention we may

properly infer, not only from his own statements and the fact of his having obtained a grant of six thousand acres of land in New England, but as well from his wise and conciliatory policy towards the natives in recognizing their rights in the soil, and purchasing of them the territory upon which he proposed to establish himself. But his project never came to fruition owing to the unpropitious condition of affairs in England. Levett had relied upon royal aid to establish himself in the New World, as King James was well known to be warmly interested in all schemes of colonization, and reached home at a period, when his royal master was distracted by troubles growing out of the rupture with Spain on account of the intrigues of Buckingham in breaking off the long projected marriage of Prince Charles and the Spanish Infanta, and in the midst of preparations to reconquer the Palatinate.

War, the death of James, the plague, and the exciting political dissensions which ushered in the reign of Charles the First, all conspired to prevent Levett from speeding his undertaking to a successful issue. Royal protection had become necessary, as grave differences existed between England and France relative to the ownership of the soil upon which he had built, and for three years Levett doubtless labored to obtain the needed aid from Charles, for we find him in 1627 though "deterred and discouraged" in proceeding with what he had begun, at last successful in attracting the attention of the king, who in that year ordered by proclamation a special contribution to be taken in

the churches of York, to aid him in his project of building a city in New England, which was to bear the name of York after the builder's native city. This was an extraordinary act, and Levett must have had powerful influence to bring it about, especially as Charles was distracted with troubles at home and abroad. How successful this proclamation was in leading churchmen to contribute to Levett's scheme we know not, but we may properly infer that it was fortified by warm appeals of the clergy to the friends of Episcopacy, to aid in establishing in Maine a colony friendly to Episcopal interests, a project persistently kept in view for many years — Massachusetts being almost hopelessly given over to Puritanism.

But whether successful or not in obtaining pecuniary help, Levett does not appear to have prosecuted his projects farther, for after 1628 he disappears from view. From a statement of Cleeve, we learn that he conveyed his property in Casco Bay to "one Wright," of whom Cleeve purchased it in order to strengthen his own title; nor do we know what became of the men whom he left in possession. Four of these, he informs us, were from Weston's unfortunate company, which had settled at Wessagusset, or Weymouth, in the summer of 1622. This company had broken up before the arrival of Levett, who had been sent out by the Council for New England as one of a commission "for the ordering and governing of New England," and their habitations were taken possession of by the commissioners. Some of Weston's company probably remained in the vicinity, and

it is quite probable that Walter Bagnall, who had been regarded as an associate of Thomas Morton of Merry Mount fame, and who was one of Weston's company, was one of them. According to Winthrop, he was living in 1627, on Richmond's Island — the Isle de Bacchus of Champlain — which now for the first time comes plainly into historic view. Nor do we know at what time between this date and that of the visit of Champlain in 1605, it acquired its name of Richman's or Richmond's Island. Dim and uncertain are the glimpses we get of this period. We have the names of several men who were living "in the house at Casko," in 1630, and for a brief moment the shadowy curtain of the past is lifted, revealing to us one George Richmond of Bandon Bridge in Ireland, the cradle of Puritanism in that unfortunate land; but he suddenly disappears leaving us perplexed and disappointed. Certain however, it is, that George Richmond was at the head of some enterprise employing men, and which required the building of a vessel and the possession of a considerable stock of merchandise, and there seems to be reason to believe that he gave his name to this island, which was soon to become an important station for trade, and a goal to which ships coming upon the coast directed their course.

But now other actors appear upon the scene which comes clearly into view. Early in the seventeenth century English merchants, who have ever been daring and successful pioneers in opening new countries to civilization, began to turn their attention to the

New World, which afforded to adventurous spirits an attractive field for enterprise. Trade with the natives, who were eager to exchange furs rich enough to enhance the luxury of royalty for almost worthless gew-gaws, had long been extolled by enthusiastic penman, and Smith had asserted and practically demonstrated the great value of the New England fisheries. The Council for New England, which held a royal grant of the entire portion of the continent lying between the fortieth and forty-eighth parallels of latitude, anxious to develop its property, had encouraged schemes of colonization and trade, but with little success. Private adventurers, jealous of the powerful monopolists, preferred to act independently of them, but the more prudent recognized their rights, which really required but little if any pecuniary sacrifice, for the Council seemed ready at all times to grant important privileges for a merely nominal recognition of its rights. The leading spirit of the Council, indeed the one who shaped and managed nearly all of its affairs, was Sir Ferdinando Gorges, a zealous churchman, who was warmly interested in colonization, not alone for private gain, but as well for the advancement of the interests of the church he loved. He was a man of popular qualities, at this time in the zenith of his power, and was sought by those who were looking towards New England, for information and counsel. Among those who had sent ships to New England, were Robert Trelawny, Senior, and Abraham Jennens, both noted merchants of Plymouth, whose ships had doubtless fished and traded

about the shores of Richmond's Island and Cape Elizabeth, before and during the occupation by Bagnall.

The death of the senior Trelawny took place near the close of 1627, and he was succeeded by his son Robert, who, in company with Moses Goodyear, the son-in-law of Jennens, inherited the spirit and traditions, as well as the business of the two pioneers in the New England trade. John Winter, probably a son of the early navigator of that name, was in the employ of Trelawny and Goodyear, and was familiar with Richmond's Island and Casco Bay. The new partners were well fitted to continue the enterprise of their predecessors; especially Robert Trelawny, who had inherited the ability and ambition of his father, a man not only succesful as a merchant, but of considerable political prominence; indeed the spirit of foreign adventure had long been potent in his family, stimulated, perhaps, *ab origine* by its connection through marriage with the Hawkins family, to which belonged that famous navigator, Sir John Hawkins, and the junior Trelawny grasped the helm which his father had relinquished, with a strong hand.

The Trelawnys, whose family was among the most ancient and honorable in Cornwall, were favorably known to Gorges, and were encouraged by him in their New England adventures; but up to the date of the death of the elder Trelawny, no grant of territory had been taken by them; indeed, their business had been of a transient and experimental nature. The new firm, however, contemplated more permanent

relations with the new country on the other side of the Atlantic, and the acquisition of a plantation there was discussed between them and Sir Ferdinando Gorges, probably not long after the death of the elder Trelawny, certainly prior to 1630.

At the same time George Cleeve was turning his attention towards the New World which was then attracting increased attention from the subjects of Charles, among whom, almost without distinction of party, discontent was rife. Voyages were made to New England for the purpose of exploring the country and selecting desirable places for settlement, and these voyages were often made under the promise of a grant of the territory selected. Under such a promise from Gorges, Cleeve, who it would seem was cognizant of the negotiations between Gorges and Trelawny, and who was probably well known to both, as well as to Winter, crossed the ocean in the year 1630, with his wife and daughter and came to the vicinity of Richmond's Island where Bagnall was then living. Here, on the mainland, he found a suitable spot for planting and trade. This land was in the possession of Richard Bradshaw, who some time before had made a voyage to New England, and had subsequently secured a grant of land described as lying on the "Pashippscot," but, changing his mind, had taken delivery of land under his grant on the Cape Elizabeth shore east of the Spurwink, and opposite Richmond's Island. This delivery by "turf and twig," which was necessary to complete a title to land already granted by deed, was made by Captain

Walter Neale, who had been sent out by Gorges and Mason in the spring of 1630 as the governor of the Piscataqua company, a band of colonists, which had settled at the mouth of the Piscataqua River.

The delivery was doubtless considered by all concerned as constituting a sufficiently valid title to the land; indeed, a great deal of the territory of New England was held, and the title thereto never questioned, under less perfect conveyances than this.

The whole country was a wilderness which had been parcelled out among the favorites of the crown, and concerning which little was definitely known. It was all opened to adventurers, to whom great inducements to settle were offered, and it made but little difference at this time where a grant was located, providing it did not interfere with a previous one; nor, indeed, was this proviso observed where sufficient reasons existed for ignoring it, as we know by the experience of John Stratton and others. What wonder then, that Richard Bradshaw considered his title to land delivered him by the official representative of Gorges on the banks of the Spurwink to be as valid as if it had been delivered him on the the banks of the "Pashippscot."

And now Richard Tucker first appears upon the scene, who, purchasing the grant of Bradshaw, formed a co-partnership with George Cleeve. In this co-partnership Cleeve says that he "joined" his "right" with Tucker's; that is, his promise of a grant of land to be selected by him, with the land already in possession of Tucker under the Bradshaw grant. He

evidently thought this "right" was an important factor in strengthening their title to the coveted territory, upon which they at once began to build and enclose ground for planting.

We will leave them for a brief space, to take a glance at the condition of affairs in the vicinity during the year of grace 1631. The nearest neighbor to Cleeve and Tucker on the Spurwink and Bagnall on Richmond's Island was John Stratton, who was living, probably alone, on the little island which still bears his name, a little west of Richmond's Island and opposite Black Point. Farther west, upon the eastern bank of the Saco, Richard Bonython and Thomas Lewis, men of energy and character, and opposite on the western bank, Richard Vines, the trusted friend of Sir Ferdinando Gorges, with a few hardy men as brave as themselves, were clearing the forests and trying to create a home in the wilderness. Eastward their nearest neighbor was Alexander Mackworth, who, at this time, had doubtless seated himself on the point beyond Portland Neck which still bears his name, but which was called by the Indians Menikoe, and by him Newton. Within the radius of a dozen miles or more, these were their only neighbors, so far as we know, unless a few straggling fishermen were carrying on their toilsome employment at House Island and one or two other points still favorite haunts for fisher-folk along the shore.

Far and near all was an unbroken wilderness, save tracts of land here and there which had been burnt over by Indians, and had grown up to grass, presenting

charming openings in the summer time, bright and fragrant with wild flowers, and musical with the songs of countless birds. The streams abounded with trout and salmon, which the "gentle angler" like Tom Morton, Cammock or Milton could lure to his basket with a scrap of red cloth if he possessed no more succulent morsel to offer them. The woods, too, were full of game of every sort, from the wild pigeons, which, at sunset, settled down upon the great pines in immense flocks, to the clumsy bears which fished for lobsters in the pools left shallow by the ebbing tide. Nor was the sea less populous than the forest. Herring, mackerel, cod, and the much prized bass crowded the waters adjacent to Richmond's Island and the Spurwink, and along the margin of the sea hovered numberless wild fowl acceptable for food. Never had the newcomers from the Old World, where game protected with jealous care was the peculiar privilege of the rich, beheld such abundance, and they wrote home extolling the country as a new found paradise. Such was the condition of things in 1631 while Cleeve and Tucker were establishing themselves in their new home, and looking forward to a profitable trade with the roving bands of Indians which camped about them ready to exchange the valuable furs of the otter and beaver for gaudy trinkets, and above all else for the deadly fire-water of the pale faces.

During the summer the ship Plough arrived with a band of adventurers called the Company of Husbandmen. This company had obtained a grant, the year before, from the Council, of a tract of land forty miles

square, lying between Cape Porpoise and Cape Elizabeth. The arrival of colonists at this time was an event of importance, not only on account of the interest, social and patriotic, which emigrants in a new country instinctively take in the advent of newcomers of their own race and religion, but quite as much on account of the rival interests which must necessarily arise, and Cleeve and Tucker, without doubt, not only acquainted themselves with the new colonists, but with their patent; such documents being of especial interest to those who were now rapidly possessing themselves of all the valuable coast-line of New England. This patent, we shall see, was destined to play an important part in the controversies which were to arise later.

While these events were taking place, Bagnall, who was living merely as a squatter upon Richmond's Island, being anxious to obtain a title to his dwelling place, applied to the Council for New England, probably through Thomas Morton, who was then in England and in favor with Gorges, for a grant of Richmond's Island and other territory, and on the 2d of December a patent was granted to him for this island and fifteen hundred acres on the mainland. But when the grant was made the unfortunate Bagnall had ceased to live, for not being satisfied with the ordinary, or rather extraordinary advantages in trade which he possessed over the red man, he had resorted to fraud, and being discovered in it, had been slain by one whom he had wronged.

A month previous to the grant to Bagnall, namely, on November 1st, another grant had been made to Captain Thomas Cammock, who was a nephew to Robert Earl of Warwick, and had been employed by the Council for New England of which his noble uncle was an influential member. Cammock had been in New England with Mason's or rather Neale's company, which had settled on the Piscataqua, and had probably built there, but afterwards had explored the country farther east, had been attracted by the beautiful point of land opposite Richmond's Island, now known as Prout's Neck, and had determined to make it his future home. Returning to England he had procured, through the influence of his uncle, a grant of the coveted territory then known as Black Point on account of the dense evergreen growth with which it was covered, and which gives, as is well known, an almost black appearance to a coast line, especially when contrasted with gray rocks or the lighter foliage of deciduous trees in the vicinity. While in England he had visited Robert Trelawny at Ham, the Trelawny family seat, and New England, from which Cammock had lately come, was a fruitful topic of conversation. Cammock had a practical knowledge of the country and his selection of Black Point probably determined Trelawny in his choice of the adjoining territory, where Cleeve and Tucker were located. A patent of Richmond's Island, we may reasonably infer, had been applied for by Bagnall, and a promise of it obtained from Gorges, — whose word once given would be adhered to — before

Trelawny and Goodyear applied for their patent, or this most important adjunct to their grant would have been included in the patent to them, since they possessed a personal influence which Bagnall did not enjoy. This is evident from their patent, which discloses a design to nullify as far as possible, nearly every advantage granted to Bagnall; indeed, his patent, had he ever received it, would have proved almost valueless to him, for by what was doubtless a well arranged piece of finesse, the Trelawny patent preceded his in date one day and practically covered Richmond Island as well as the adjoining mainland, although the Bagnall patent apparently conveyed to the grantee the island and fifteen hundred acres of the adjoining main. True, Bagnall was to have the fee of Richmond's Island, but so encumbered as to be almost worthless, since the day before the conveyance of it to him, the right to fowl, fish and erect stages and wharves for the prosecution of business was granted to another. This right was without limit, and could have been made to absorb every privilege of value which the island possessed, while the mainland opposite to it, east and west, where he undoubtedly expected to have his additional fifteen hundred acres, had also been granted to others. Had Bagnall lived, the grant to Trelawny would have proved a fruitful source of trouble in which the weaker party would have been forced to the wall. As it was, they held the island under their grant of privileges and never sought to fortify it by any subsequent instrument. The season of 1632 opened upon the lonely

settlers on the Spurwink, who, it would seem, maintained peaceful relations with the red men about them, and preparations were being made for planting, by enclosing ground near their habitation, when, on the 17th of April, they saw the sails of a ship bearing in from the open sea, and soon had the joy of seeing her come to anchor near the island. It was surely a welcome sight to behold a ship from home, bearing at her masthead the glorious flag of Old England, and they doubtless hastened to meet the new comers. But their happiness was shortlived, for they soon learned that the chief of the party was John Winter, probably an old acquaintance of Cleeve, and that he came over as governor of Trelawny's plantation, which included the territory then in their possession. We may well imagine the bitter disappointment which possessed George Cleeve and his partner when they learned from Winter that Trelawny possessed a valid patent from the Council of the entire shore of Cape Elizabeth east of the Spurwink.

Winter was a harsh, overbearing man and probably did not attempt to mitigate their disappointment, regarding them as interlopers, who must either serve his powerful master or be driven out; indeed, he afterwards, in adverting to his forbearance on this occasion towards Cleeve naively says, that he told him that he might become a tenant to Trelawny somewhere else, after warning him from the place where he had built and planted. To this proposal, which we may properly imagine to have been made with the offensive manner so natural to one acting subordinately

to a powerful employer, Cleeve, who had seen enough of the oppression of the tenancy system in Old England, with that manly spirit of independence which less than a century and a half later transformed a province into a nation, replied that "he would be tenant to never a man in New England."

Five days after the arrival of Winter, Cammock, who had sailed before Winter, reached Richmond's Island, after a long and stormy passage. From him, Cleeve and Tucker could of course obtain no comfort, and their position must have been unpleasant in the extreme. Winter at once took steps to eject them from their new home, and applied to Captain Walter Neale for his official aid. This was promptly granted, and Cleeve and Tucker were served with a formal notice to quit. But Cleeve was not a man to regard mere paper notices, and Winter was not in a position to employ force, as he had come here only to make arrangements for a future settlement and was to return immediately to England for men and materials necessary to carry on the enterprise.

Needing men to leave in possession of the island, he engaged three men whom he found "in the house at Casko," namely, John Badiver and Thomas and Andrew Alger, who it seems probable were some of the men left there by Levett, presuming that "the house at Casko" was the one erected there by him in 1623-4. Leaving these men at the island, Winter set sail for Plymouth in the month of July, leaving Cleeve and Tucker to harvest the crops which they had planted that year. They well knew, however,

that he would return again before long, unless prevented by the elements, when they would be obliged to depart or to become his tenants, the latter alternative being one not to be entertained, and they began casting about for a new place where they could erect another house. A neck of land in Casco Bay, several miles northerly from their present habitation, promised favorably, and when John Winter returned on March 2, 1633, they were ready to strike out again for a new spot of earth from which they might wring a meagre support, and borrowing a boat to aid them in transporting the family of Cleeve and their scanty household goods, they departed, leaving Winter in sole possession of Richmond's Island and their dwelling place on the Cape Elizabeth shore. But his position was far from being secure. Not only had ships from Barnstable, England, been at the island during his absence and regardless of his employer's proprietary rights and the protests of those left in charge, taken possession of the fishing stages he had built, but threats from one who had been pillaging settlers farther east reached his ears. For the protection of the people and property in his charge, he at once set about the task of putting the island in a proper state of defence, and, ere long, he could defy attack from any ordinary enemy.

For the next twelve years, or until the death of John Winter, which took place in 1645, this island was a noted station for fishing and trade. Ships coming to New England dropped anchor in its harbor, which was often crowded with vessels, some

being from England on private fishing enterprises; some on voyages for trade with the settlers and Indians along the coast, and others from Spain and the West Indies with liquors and wines to be exchanged for fish. Some of these ships which bore firewater to work ruin among the red man and the hardy toilers of the sea scattered along the coast, bore striking names, as the ship Holy Ghost, the Angel Gabriel, the White Angel of Bristol, and others of similar nomenclature, for this was an age when pious phrases were more common than practical piety.

The shores of this island are now unpeopled. The memorials of those who lived here have perished. The dust of John Winter and of his associates is beneath our feet, and the waves sing the same incomprehensible song which they sang when de Monts landed here, or when the treacherous Indian pulled his birchen canoe upon the beach, intent upon the murder of Bagnall. Yet here came Richard Mather, fleeing from oppression; William Wood, the quaint author of New England's Prospect; Tom Morton, who wrote the New English Canaan; Thomas Josselyn, Gent., made immortal by his Two Voyages; the old knight, his father; Richard Vines, the trusted friend of Gorges and the founder of Biddeford; Richard Gibson, the first clergyman of the Church of England who established himself on the soil of Maine; Robert Jordan, his successor, who began preaching here in 1641; and many others as well known. Here, nearly two and a half centuries ago, Robert Jordan, the

ancestor of the thousands of Jordans in this country, preached to Winter's little colony.

We can see with the mind's eye, the grave and discreet John Winter in his suit of "kersey of a sad colour;" his energetic and capable wife Jane and daughter Sarah, in smart scarlet petticoats and "shoes of the number eight size," going to hear the young minister not long from Old England, and in the motley company gathered with them, we note the Algers, ancestors of so many well known men; John Libby, the father of a multitude; Ambrose Boaden, John Burrage, Nicholas Edgecomb, and many others. Nor must we overlook the fair Wilmot Randall. You will find by the Trelawny papers that she came to this island probably with Robert Jordan and bound herself to service with the Winters for a stated time. Edgecomb, whom Sullivan supposes to be a connection of the famous English family of that name, saw and won her, but Mrs. Winter was not of a romantic turn of mind and would not cancel her bond. But while it is true that "the course of true love never did run smooth," it is equally true that "Love laughs at locksmiths," and the lover

> With a silver key
> He set her free,

or in other words, he paid Mrs Winter a sufficient sum to secure her release from her engagement, and bore her away in triumph to the new settlement on the Saco, where they became the ancestors of all the Edgecombs hereabout. All these figures and many more pass before our view, and we would fain remain

with them and dwell upon the events connected with the history of this island during the seventeenth century; the many conflicts between Winter, his son-in-law, and successor Jordan and George Cleeve, their life long antagonist; the Indian war which raged here, and other interesting events; but time will not permit, and if it did I could but faintly present them, for but an echo of them remains:

A slumberous sound, a sound that brings
  The feelings of a dream,—
As of innumerable wings,
  As when a bell no longer swings,
Faint the hollow murmur rings,
  O'er meadow, lake and stream.

REV. JOSIAH WINSHIP

BY REV. HENRY O. THAYER

Read before the Maine Historical Society, January 26, 1899

Events and men of all times, and for us of New England's formative years,— are ever worthy of study; ministerial life of two or one century ago can instruct, reprove, suggest, force comparisons, incite thankfulness, have value to the ministry and all others of to-day.

Changes of environment many and marvellous have indeed come; human nature has not so changed; churches and parishes are not yet perfect, nor the man in the pulpit or chief pew. Men and women in them have still likes and dislikes; are not wholly void of selfishness or ill-will; have opinions and beliefs — some of them — are strenuous for or reject creeds or call them useless; nor is charity always a free and healing balm.

Old problems reappear, the factors slightly changed; the old equation is constant, minister plus people equal 1 or 0, *i. e.*, success or failure.

I glean from some pages of local history in order to present "A Harvard Graduate in the Maine Wilderness."

A wilderness truly, though the woodsman's or settler's axe had driven back a little in inviting spots, "the forest primeval, the pines and the hemlocks,"—

from the river floods or salt sea tides ; a wilderness though one and a quarter centuries had passed since Englishmen had bartered with the Wawenoc sagamore Mohotiwormet for land ; a century of alternate entrance and expulsion, houses and mills built and burnt, land cultivated or devastated, hope turned to ashes, again hope and enterprise rebuilding and cultivating ; hardship and toil not empty of reward ; anxiety, terror, flight, and the dead or dying left behind ; then confidence, caution, risk, energy, seeming necessity, making new trial,— all the vicissitudes of pioneer life, the ruin and regaining, from Philip's War on till Louisburg fell and Quebec yielded to English valor, bringing the end of French dominion in North America and its accompanying savage wars and atrocities.

This wilderness, the scene of this narration, lay between the Kennebec and Sheepscot rivers, having also on its south margin the estuary Sasanoa, with its turbulent hell-gate,— the mystery of whose rioting tides the explorer Champlain in 1605 failed to understand,— and also frowning, precipitous Hockamock, the ancient shrine of the Indian's fear and faith.

Within these water-bounds the native name was Ne-qua-seag, euphonized by English ear and tongue to Nequasset. Of this tract the sachem Robinhood's deed of sale was given in 1639, the second of legal form and record for Maine, perhaps for New England. For one hundred and twenty years this district shared with other parts of Maine the common history, toil and trial, advance and repulse, Indian envy or hate

dogging the heels of hard though gainful labor, yet growth and increase of settlers till in 1759 when the long, bloody struggle of two nations for supremacy was closing in the fall of Quebec, it became in full a town, Woolwich.

When invested with town rights, Nequasset, as its name should have been, sought its minister as custom, conscience, law required. The people had anticipated and prepared for incorporation by erecting the necessary meeting house. Voting money for support of the ministry and selecting committees to "procure a gospel minister" were first town acts.

Records show that "Rev. Mr. Wellman," James Baker, John Miller, were acceptable candidates, who did not respond favorably to the town's invitation.

The season of 1764 brought to the wilderness parish Josiah Winship, to examine, and of course to be examined. It seems the people found greater attractions in him than he did in them. Formally invited, he hesitated. Perhaps no misanthropic twinges had led him to cry out with the poet,—

> "O for a lodge in some vast wilderness,
> Some boundless contiguity of shade."

He was disinclined to choose that Kennebec wilderness for his home and life-work. Ere a year had gone he yielded, perhaps because other doors were shut and he must take the open one, be it to his liking or not.

His letter of acceptance, by no means a model, if styled a model or not, was a very brief business document, direct to the point, and hardly showing

that he was treating of a matter of deep religious importance, — thus : —

Woolwich, May 1, 1765.

To the Inhabitants of Woolwich:— My Answer is in the Affirmative on these conditions ;— [viz. additional salary according to increase of population ; — quarterly payments ; vacation to visit friends ; his wood to be found.] This is my answer, wishing that best of heaven's blessings both temporal and spiritual.

Your friend and humble servant,

Josiah Winship.[1]

Mr. Winship was a native of Cambridge, Mass., was great-grandson of Lieut. Edward Winship made freeman in 1635. His parents were John and Elizabeth [Wyat] Winship, living in the district known as "Menotomy," now Arlington, and prominent, worthy members of the church of that precinct, in which John Winship was deacon and wherein was baptized their seventh child Josiah, May 28, 1738.

It is inferred that he had the ordinary training and opportunities of the then farmer's boy, but added college studies and graduation at Harvard in 1762, when twenty-four years of age. Of his theological studies and some service in teaching, no particulars are known.

A notable event then for a young town was the ordination of its minister who cast in his lot with the people for the better or worse of future years. Woolwich doubtless properly honored and enjoyed the occasion and the services, which occurred June 12, 1765.

[1] In a brief notice of the man printed in our Collections Vol. VI, 1895, p. 307, mishap of copyist or printer made his name *Jonah*.

The churches invited to sit in council were those in Cambridge, Bolton, Weymouth, Mass., and Brunswick, Hallowell, North Yarmouth, Falmouth. First, by the agency of the summoned council a church was constituted. In those olden times men equipped with Bible truths for every case, read "Wisdom hath hewed out her seven pillars," and thereby opinion obtained that seven was the proper number to constitute a church. So six men and this young minister made the required seven for constructing this new house of God. In the ordination services, prayers were offered by the Revs. John Miller, of Brunswick, and Samuel Deane, of Portland; the sermon was preached by Rev. Edward Brooks, of Yarmouth, text Isa. 35:1, "The desert shall rejoice and blossom as the rose"; ordaining prayer and charge were by Rev. Thomas Goss, of Bolton, Mass.; and right hand of fellowship by Rev. Samuel Eaton, of Harpswell. This church was the first Congregational church, and Mr. Winship the first ordained minister of the denomination in the Kennebec valley.

It is a common regret how frequently corrupt are popular or floating materials of history. In Greenleaf's Ecclesiastical Sketches (p. 82) it is written that when Mr. Winship came as a candidate, "there were only twenty families in the town, and no more than two framed houses," Now we know that ten years before forty-four settlers solicited favor of the Plymouth Company; that five years before thirty-eight principal men, land-owners and heads of families united in the petition for incorporation, while the

census taken that year credits the town with sixty-three families. I will not delay with evidences showing equal error in respect to the framed houses, for surely not all but two of the sixty-four houses in town were log-huts. This astonishingly wild statement was transferred to Williamson's History, and thence to many works, and not two years ago appeared in our Collections, Vol. 6, (1895) p. 307.

For the ordination party, victuals and drink drew on the town's exchequer, but some one's misdirection carried part of the expense into a law-suit. There was presented to the town in March meeting, 1767, a bill for £11 12s 2d 9-15 f. *Haec fabula docet* that then as now in charging corporations trifling items were not rejected ; that accuracy in book-keeping was then observed ; yet this ridiculous fraction properly arose by reducing ordinary currency to lawful money, the ratio then being 15 to 1. The town voted payment, and a year later £2 14s more legal fees.

Meanwhile the young minister had regularly entered his pulpit,— or the rude substitute for the fine one yet unbuilt, had made beginnings on his allotted farm, had taken a maiden to wife, and was bearing the duties and cares of his public position. A new though humble cottage was built about that time, and the two entered there, nor do we know that occurred any ceremonious hanging of the crane. Yet may we say—

> "O fortunate, O happy day,
> When a new household finds its place
> Among the myriad homes of earth,
> Like a new star just sprung to birth

> And rolled on its harmonious way,
> Into the boundless realms of space.
> So said the guests in speech and song,
> As in the chimney burning bright
> We hung the iron crane to-night,
> And merry was the feast and long."

But far otherwise than as our Longfellow continued the scenes, must I write, for truly

> "The stream of Time that lingereth
> In level places, and so dull appears,
> Runs with a swifter current as it nears
> The gloomy mills of Death."

For looking back does it not seem excessive, heartless speed with which that joyous current of marriage life ran on two brief years, and then the bridegroom was left alone, save with a little one to wear its mother's name and image.

And thus only a few words of fact suggest the events and experiences of his first years of ministry. But he went forward bearing its duties. What was in his heart,— what the spirit in which he walked among his people then or stood in his pulpit, none now truly can assert.

Mr. Winship has gained commendation for no ordinary abilities, yet rather as a man of affairs than a scholar. He had but few books; no evidence of scholarly tastes appears; the little remaining from his pen reveals no high line of classical English, rather the ordinary. Such estimate as can now be made of his pulpit work commends its resources and its vigor. One has said that with better manner and delivery he would have made an able and popular

preacher. This is a fairer opinion than came from the hasty lips of one harrassing opponent. This man borrowed some corn and returned what might justly be rated "pig corn." Mr. Winship had reason to complain of the poor quality. "No poorer than your preaching," was the brusque retort. Much overdrawn, doubtless, was the statement by Judge Groton, of Bath, for his pen was wild and lawless:

> He was governed by time in the length of his sermons, which was an hour and a quarter. These sermons were dry and metaphysical and read over by him to an attentive and silent congregation in the old meeting-house at Nequasset.[1]

His preaching was fairly representative of the pulpits of his day,— in which thought not form was foremost; the clear statement of truth not oratory was sought and prized. Nothing now remains to testify to the quality or form of his preaching.

Mr. Winship was an able, prudent, shrewd, business manager. He had tact and keenness for dealings with his fellow men; could meet the smartest and seldom fail to be master of the situation. Yet an innate scrupulous integrity controlled him, an uprightness not only unblemished but unquestioned. He was straightforward, open-hearted, despising deceit and trickery, yet could he conceal a matter if desirable, and the man who would venture far would suffer. Kind-hearted and benevolent, the poor had reasons to bless him. In all manly and secular relations he was trusted and honored, though as a minister he gained frowns and hostility from a class that differed with him. After the old standard, he claimed the

[1] Bath Mirror, October 13, 1854.

respect due the town's minister. It has been told that not only must boys on the roads doff hats and bow to him, but in passing his house must take off their hats whether anyone was in sight or not.

In person he was tall and well-proportioned, having a fine presence; wore the old time dress, only discarded late in life, but retained the cocked hat to the last. This he always hung on a certain nail in a post behind the pulpit. In advancing age he preached on cold days in the cold church in his old white overcoat and shag mittens.

Mr. W—— in his person was above the middling height, stiff and formal in his address and manners. At the ordination of Rev. Mr. Winter, Bath, Mr. Winship sat in a front seat, head covered with large white wig, his heavy cocked hat in his hand.[1]

The first years of his ministry brought him hardships, and he endured privations not unusual in new settlements. He told that once he kept for months one last piece of pork in the barrel lest friends or visitors should come in their journey and he have nothing to set before them. As years went on, his business energy and prudent management enlarged his income; he gained independence, even wealth. He became able to be a money-lender and the list of his notes and mortgages increased; yet was he no Shylock in exacting interest, but made an inflexible principle to take but the legal rate. It is said, from persons soliciting a loan and offering larger consideration, he coolly turned away, saying, "I don't know you, sir." Rev. Paul Coffin, in his tour, rode from

[1] Judge Groton, Bath Mirror, 1854.

Wiscasset to Woolwich on Sunday, August 21, 1796,— a year midway between the Nequasset pastor's ordination and death. The entry in his journal states: "Mr. Winship is wealthy, owning a farm of 250 acres, good house and barn, with nine fine cows, &c."[1] His property increased in the next score of years.

In a year after his ordination, or July, 1766, he married Judith, daughter of Rev. Thomas Goss, of Bolton, Mass., a member of the council from a remote church who offered the ordaining prayer,— suggestive then of prospective family relations. A most amiable, estimable woman, winsome in person and character, is the report respecting her, gleaned after a century. In less than two years, 1768, May 26, her light and joy departed from the minister's home; an infant daughter remained, soon committed to the care of his sister Thankful, who came from Cambridge to fill a while a mother's and a home-keeper's place. After twelve years of widowerhood, in 1780, he married Elizabeth Ford, of Wilmington, Mass., one very unlike his former wife. She had manifest force of character, but less of grace and gentleness; was a stirring, efficient house-wife, a thrifty, hard-working, close manager, even inclining to penuriousness; was large in frame, robust, masculine. It is said she would stand at two well-filled churns and work both with strong right and left hands. She was a most valuable business companion for the minister in husbanding resources and storing up wealth. She had, however, slight interest in his ministerial work, rather hindered

1 Maine Historical Collections, Vol. 4, p. 331.

and annoyed him in it, than aided. It is told, though I would doubt it, that once in the last moment of putting on his great-coat to go to meeting, the minister laid his hard-wrought sermon on the table. This wife in a cross-grained moment snatched it up and cast it into the blazing fire-place. She had no excess of respect for ministers and had moods when she would scarcely honor them or her husband. The story goes from good authority, that once a ministerial party was entertained at the Woolwich parsonage. As the company rose from the dinner table, which had been bountifully laden with the best products of the farm, the stall, and culinary art, appropriated with full appreciation of their toothsomeness, the host remarked to his wife that in view of such a dinner they should need only a light supper. At evening the guests were invited out to the table which revealed a snowy cloth and upon it all the candles the house could set forth,— and no more ; a *light* supper indeed. Doubtless something more substantial was set forth later.

Respecting Rev. Mr. Winship's theological position, materials are insufficient for an accurate judgment. Incidents, traditions, true or distorted views, of the generation following contribute somewhat to an opinion. His sermons,—valuable witnesses,— have all disappeared, save simply one, curiously the first he wrote. After his death, they were given away singly or in handfuls ; were lent, which is usually "lost"; a son had a boxful stored in the attic, which the mice ate ; an appraiser of the estate carried away, as his son told me, a quantity in an incapacitated churn, and

these went one by one. The rest, stored in a chest in the homestead, were drawn upon by an unappreciative, vandal-like housekeeper, to make a quick blaze on the kitchen hearth for singeing the frequent goose — useful at the last, the cynic will say.

The sermon now extant comports with views sufficiently evangelical and Pauline to meet the vigorous demands of those times. But from the theology early imbibed I think he developed towards a religious system whose main features were morality and attendance on ordinances,—"do and live,"—"do what you can and God will do the rest,"—but seeming to belittle the doctrines of grace. His divergence from the stern, unbending Calvinists about him was marked. Such doubted him or cast him out of their charity or believed him destitute of Christian experience. It is certain that the best Christian men and women in moderately orthodox circles in the generation succeeding, were uncertain of his position in respect to beliefs esteemed evangelical. Evidently he had close affinities with the Arminian clergy of the last century but was strongly influenced by the drift to Pelagian views, and by the separating and constructive agencies of the new Unitarian movement.

Resistless forces were bringing on the American Revolution when Josiah Winship began his ministry; but the period it embraced saw change and upheaval as notable in religious as in civil affairs. In his parish, agencies of disruption were active and constructed for him a rough path, nor free from thorns and vipers.

Only five years go by when some urge a council "to settle matters in the church." This difficulty removed, new friction is revealed,— alleged dissatisfaction of many voiced by one, who demands the minister to change his ways or to be removed, and admits attendance at meetings "only to get catches on the pastor." When these grievances, of unknown nature, seem to be so healed, as "no more in this life to be brought into remembrance," they still do reappear, and this divisive church member gains two public admonitions, on the second of which, kind and Christian truly, he turns his back on the minister and church, and leaves the meeting-house, furnishing no further trouble.

In such ways did disquiet years lead on to 1775, and when the guns of Lexington startle the colonies, heralding momentous events, already at Nequasset a conflict is on in another form as real as when armed men range lines of battle, as severe as intense feeling, blind prejudice, ill-will and self-will can create. It is a pathetic and suggestive record in October,— "Not to call a council because of the troubles that are now so grievous upon the whole land." Still contention and alienation do not pale and sink, but rather grow into a widening breach. In the autumn of 1776, when the campaigning forces about New York and the Hudson need recruiting,— here perturbed conflicting parish affairs require aid and wisdom to be sought abroad. Two councils convene: one in September seems rather a meeting for consultation. A second council was summoned to meet

October 9, to consist of churches in Harpswell, Yarmouth, Cape Elizabeth, the three in Falmouth, and those in Wells, Buxton, and Pepperelboro. It was a strong council, comprising able men. In the order of towns above given, were Samuel Eaton, Tristram Gilman, Ephraim Clark, Samuel Deane, Thomas Browne, Ebenezer Williams, Moses Hemmenway, Paul Coffin, Samuel Langton. Dr. Deane's diary furnishes our only information of the doings. He shows that certainly seven ministers were present, and perhaps Coffin and Eaton also, though not mentioned. Names of lay delegates given are but three,— Mr. Bradbury, Captain Souther, Mr. Parsons; this last undoubtedly Theophilus, afterwards Chief Justice, then a rising lawyer in Portland. The session opened on Thursday; was adjourned Saturday that pulpits might be supplied, and reassembled Tuesday. Facts, the main ground of contention, had been elicited; now the real work begins,— examining sermons. Think of it: — Mr. Winship must bring forth his stock, those on which the keen-eyed, cawing crows had seen spots of heresy. In examining and consultation nearly three days were employed. What a job did the preacher furnish,— to read poor writing, to discern and divide, to probe, weigh, strain, and learn how this young preacher at Nequasset was indoctrinating his people. What anxiety for him,— what gossip, discussion, restrained excitement, aching curiosity, among the people for three days while there in Deacon Ford's mill-house close by Nequasset Falls, those wise men, led by Dr. Moses Hemmenway, reputed the ablest

theologian in New England, held those sermons under microscope and in crucible, to determine if gold or base metal was chief in the composition. On Friday afternoon, those solemn men, weighted with responsibilities, went up to the near meeting-house. Feverish expectation throbbed in the assembly as the partisan and the indifferent, the timid, the pitying, the belligerent, the hopeful, waited the issue. A hymn, a prayer,—then Mr. Browne stood up to preach. His text revealed the trend of the decision: "Blessed are the peacemakers." But that Result of Council,—never put on record,—went perhaps to the mice or to the goose, and has no voice for us. Evidently they could not adjudge the man a heretic; he held his pulpit and drew his salary.

It had been a war of theologies. In town were a few staunch Scotch-Irish Presbyterians. Others held as stalwart a Calvinism. Opponents of those views held equally pronounced beliefs. Truths on either hand seemed to be in jeopardy. Hence men and women wearing stiff and bristling armor of positive convictions must fight. Fight, they did; the conflict went on for years, almost belittling for them the struggle of the colonies. One campaign ended as the council dispersed on that October day after hoisting a flag of peace. Alas! in fact it became scarcely more than a flag of truce.

New tactics were employed a year later by this malcontent minority,—secession. An attempt was made to establish a Presbyterian church by the Calvinistic party, numbering thirty-two by their petition, led by

Elder Thomas Stinson, an officer of the extinct Georgetown church who had never joined Mr. Winship's. But legislative sanction was denied ; they were forced still to pay rates to the minister they disliked.

Then a portion, scorning his ministrations, betook themselves to Arrowsic to Parson Emerson's meeting, a man honored, loved, evangelical. In the number was Grandma Trott,— so called afterwards by her descendants, *nee* Mehitabel Sewall, wearing something of the strength of the Sewall name and race, a strong-framed, energetic woman, ingrained with a strain of insanity which has terribly cursed some of her posterity, mentally virile, thoroughly versed in the doctrines, inclined to theological disputation, equipped for and enjoying a tilt on dogmas with skilled divines, and no mean champion. This woman also was able to set three pairs of twin olive plants among fourteen at her husband's table. Nurturing them in her best known way of the Lord, she would set a little boy on each hip and with the mein of a devoted mother-in-Israel, set out for Arrowsic. Another, Samuel Stinson, son of the Presbyterian elder, a stiff Calvinist, a keen watch-dog scenting out error in every sermon, aiding the revolt against Mr. Winship,— zealous for truth as he viewed it ; in his inward religious conflicts, by his own confession, having no comfort of mind only while opposing his doctrines and his conduct, this man turned away for edification to Mr. Emerson. But there, reasons on both sides prevented membership, Mr. Emerson privately remarking, "Got troublesome members enough now." The stray sheep

from Woolwich, though nurtured on the Westminster catechism, was now disturbed and wounded that the Arrowsic church baptized infidels, *i. e.*, infants; he turned from it, and at home churchly homeless continued Mr. Winship's active and disputatious adversary, till the new Baptist movement offered scope for his powers and quieted his contentions by the zeal of leadership, as by teaching and exhorting he aided to gather sympathetic believers, segregating Calvinist from Arminian elements, and so became the effective agent in establishing the Calvinist Baptist church of Woolwich, to which later he ministered.

The sentiments of the sincerest seceders may have been expressed by the Scotchman, William Chalmers, who in turning away from Mr. Winship, kindly and sincerely we hope, did not cease to pray for him, and in assemblies of recusant brethren would offer in his broad accents his best prayer, "that the Lord would con-y-vict him, and would con-y-vart him, or that He would con-y-demn him and send him out of town."

The Baptist defection furnished further irritation and trial which this shepherd in the wilderness endured.

> "For toleration had its griefs
> And charity its trial."

In 1781, Benjamin Randall, the apostle of free salvation, as he claimed, and founder of the Free Baptist denomination, began his evangelism in towns east of the Kennebec. His third day's meeting was held in Woolwich. His preaching created a sensation. There is no need in this paper to consider the methods or

spirit of his work. Great numbers flocked to his meetings; religious truth in new forms and pungency moved many; converts to his views multiplied; a church organization was effected, making that Woolwich branch the fifth of Randall's gathering, and the second of the order in this state. It was located, however, on the east side of the town near five miles from the Nequasset church.

This religious upheaval was opportune for the malcontents, who, since the councils, had been more restless or determined than before. Those who disliked the town's minister, those not relishing his preaching, or in thorough disagreement, those who loved novelties, as well as converts to the new way, had easy excuse to abandon his services.

To him the new movement was utterly repugnant. He held pronounced views regarding an educated ministry. The province laws required the curriculum of the schools, and he was in full accord making high claims for a learned ministry. It was an offense for others to take on them the high office. He so taught his people, further fastening the truth by his public prayers as one attests: "Thou knowest, O Lord, that we deprecate an ignorant as we do a vicious ministry."

He likewise stood firmly by the parish minister's territorial rights. No others could properly gather audiences within those bounds. Such were obnoxious and criminal intruders.

But also he held high views of the ministerial office. He believed in a divine call to it,—proper preparation

for it; formal and authorized induction into it. Indeed he seems to have believed in a true apostolic succession. In a charge at an ordination he affirmed to the candidate: "We, therefore, the ministers of Christ present, as we came into office in a direct line from the apostles, ordain thee." Sturdy principles as well as personal feeling and parish interests put him into hostile attitude to Randall's evangelism. Such men were regarded interlopers, unfitted in learning, lacking slightest authority for ministerial functions, and were violators of the divine order and of personal rights. He could but visit on them his condemnation.

Elder Randall's biographer writes of opposition, even mobs encountered in the first stages of his work in New Hampshire. He introduces an incident, a specimen of the general attitude of the clergy towards him. In condensed form it runs thus:

> Invited to preach, on arriving at a certain meeting-house, he found a large congregation gathered before it. The parson of the parish stepped up, demanding his authority to appoint meetings in parishes not his own. Randall replied that he was called of God and authorized to preach in all the world to every creature. The parson, in a passion, demanded a miracle confirmatory of this divine call,— that the whip in Randall's hand be made a serpent. "You'll be the first man to run," said an insolent bystander. Now a general uproar; some wished him to enter the house, some would keep him out. Randall stepped upon a grave and said,— "I will have this grave for my pulpit and the heavens for my sounding-board," and began to preach. The parson and others retired disgusted; many remained to the refreshing of their souls.

We may recall that forty years previously the best pulpits in New England were closed by good men against the devoted and eloquent Whitefield.

[1] Buzzell's Life of Randall, p. 102.

Without names, place, date, the story was written for the latitude of Woolwich; the parson was Mr. Winship. The story of the transaction has been well preserved in town, but traverses the published account in one important point,— preaching in the graveyard. As detailed in the last generation it tells that the two men met before the meeting-house. The question of authority was raised. Mr. Winship said there were two kinds of ministers, those called of God and regularly inducted into office; those who set themselves up for ministers. Randall avowed his divine commission to preach the gospel as the apostles of old. "Then," was the reply, "let the whip and serpent confirmation show and prove it." The discussion went on, evidently in no deferential tone on the pastor's part, no concessions of rights on the itinerant's part. The latter claimed a minister's authority, also proper permission to use the house; the former scouted that authority and denied the entrance of such persons to his pulpit. Now as the story goes, the wordy encounter was abruptly broken off by a dash for the meeting-house and the pulpit. The parson came in ahead, scaled the high stairs, entered his pulpit and buttoned the door.

There may have been accretions and omissions in both accounts, favorable to either side. The biographer writes as if Randall avoided discussion, withdrew to a near grave and began to preach. The town's tradition holds that he avowed the right and did his utmost to gain the pulpit. The race is the item most likely to be distorted or ignored. But did

Randall enter the house and preach? Tradition and testimony are ample and clear that he did. Mr. Winship's colleague (Rev. Jonathan Adams) conversed with eye witnesses and verified the common story. A prominent member of the Free Baptist church in late years supported that account though adverse to the accuracy of denominational literature, and furthermore told that his great-uncle owned a corner pew, had little regard for either party but only to see fair play, and declared Randall should preach in it in spite of any or all. But my friend, the aged deacon of the Congregational church, John Stinson, who entered on fifty-six years of official service previous to Mr. Winship's death, gave full verification derived from his grandfather, David Gilmore, who brought him up. This prominent townsman was a selectman and gave permission for Randall to occupy the house, and furthermore averred that he read Buzzell's Life of Randall after its publication, and could distinctly testify that those things as written "were not so." Nor is it difficult to account for the biographer's error. He wrote from memory this affair as "told him by Randall and others." It was evidently a stock story, often repeated at fireside gatherings for the delectation of new brethren and proof of narrow intolerance in the standing order. This bit of bombastic gush respecting the grave-sodded pulpit and the celestial sounding-board was the piquant, forcible point of the story. That fixed itself in memory; subsequent details fell into the background by frequent repetition and slipped away as unimportant, leaving the

presumption, however, that Randall did as he proposed. If I may judge, it was altogether natural for the itinerant in his discomfiture in strife for a pulpit, to speak as averred : —" The Most High dwelleth not in temples made with hands ;" "I will go yonder and take a grave for my pulpit and have the heavens for a sounding-board." Those very words are testimony that he was then, as the town account declares, within the meeting-house and those objects before his eyes gave shape to his utterance. Were there still some parley of partisans the opposition would be slight. The parson was now out of the contest, safe within impregnable battlements above. What occurred down there was of slight concern ; he held his own, *his* pulpit, and would hold it. Surely Randall would need little persuasion to remain and preach. He would not forego the chance to address such an audience with all the pungency and power the occasion supplied, and especially when he could as at no other time shoot a few arrows up over the battlements at the victorious watchman in his citadel.

The course of events detailed roughening Mr. Winship's path in the wilderness seems the more pitiful that it joins so closely with the town's share in the Revolutionary War. Compare them : recruits for the army, the quota of beef, the required clothing, soldier's bounty, Tory sympathy and arrests, bands hunting out Loyalists and forcing the League and Covenant, home guards for Cox's Head or the Sheepscot, reports of deaths in the army or the battle, famine at Valley Forge, and Abner Wade, brave man, in his hunger

chasing a dog and failing to seize it, sitting down in weakness to cry: but at home, clashing of opinions, dissension, ill-will; in '76, councils to try the minister; in '77, thirty-two men seceding to Presbyterianism and the town legally resisting; in '78, protest of thirteen men "against paying any more salary to Rev. Josiah Winship, having improved him for a number of years past and having received no benefit by him nor from him;" problem of salary payment pushed into town meeting, plans of the dissatisfied to be free from ministerial rates; in '81, Elder Randall's invasion making sharper rift of parties, while Cornwallis was in the toils of the last campaign.

Surely not with calmness nor indifference did the shepherd at Nequasset see the resistless current sweep away a part of his flock. It was a period of transition which through hardship, debate, resistance of the old against the new, a growing sense of justice, the compulsion of numbers, brought the era of full voluntary support of the institutions of religion.

Baptist churches were formed, persons signed off, and had transfer of ministerial rates, the old parish was weakened. As Whittier also wrote,—

> "Grave pastors grieving their flocks to lose,
> Prophesied to empty pews."

Still Mr. Winship with or without pity, a square business man, expected the town to meet its engagements, and it did. In 1794, he refuses taxes on certain lands. The town without pity proceed legally to collect, but learn on conference his tactics to show that agreement at ordination had not been kept by increasing salary

when one hundred families are in town. Now various questions respecting salary, arrearages due, abatement on account of diminished ability by the Baptist withdrawal, continued for ten years. In 1809, two years before the Religious Toleration Act, as the attendants on his ministry avow their unwillingness to part with him but cannot bear his whole salary, he offers to excuse all the law excuses and to yield his whole salary when the town will settle a colleague. He was now past seventy and a man of wealth, but so long as he performed the duties of his office he required stipulated payment.

Slight basis exists for conclusions in what spirit the man endured fault-finding and animosities of the vexing years. Still a majority of the people were loyal to him, kindly sustained him, fought his battles, appreciated his services, honored his business tact and manly integrity, and gave him due respect. How far self-poised and unruffled under ill-will of adversaries cannot be affirmed, but in large measure I think he went straight forward as if those things did not exist, as if he knew nothing of the tempest or the dust. Certainly the records subsequent to the council disclose no troubles in the church, do not show that any members left it for Arrowsic or the rival home churches, though several did ; the word Baptist doesn't appear nor a trace that such persons or churches existed. One might say that upright in all else, in these records his integrity is impeached, but none can tell his principle in keeping them, and he was king and would do as he pleased ; yet they are

certainly scanty and imperfect in exhibiting the church life. But it is one main blemish on the man's life that he maintained such an attitude toward the new religious movements and churches of his time. That he did no worse than many others does not excuse him. The men, the methods, the beliefs, the types of piety were all distasteful. In the ordination charge mentioned, he adverts to the scattering and divisions of the people "into sects and parties by means of unprincipled and unlearned men who come not in by the door but climb up some other way." He was at times harsh and censorious,— allowed to these other workers in the vineyard neither respect nor charity. He saw, he felt the secession and the undermining going on in his own parish, that there was personal hostility as well as adverse beliefs. Had there never been a bitter word nor an ungracious act, then might he have been crowned among the perfect. He did not attain that honor. One incident is in point, though I wish to regard it as apocryphal.

One Sunday's service had just begun with the reading of the hymn ; it runs thus :[1]

> "I hate the tempter and his charms,
> I hate his flatt'ring breath;
> The serpent takes a thousand forms,
> To cheat our souls to death."

As the last line was on his lips, Mr. Winship saw step within the door his thorn in the flesh, the hyper-Calvinistic leader of the opposition, the agitator of heresies. He turned his eye to the opposite page to

[1] Watts' Hymns, Book 2, No. 156.

the *next* hymn, and calmly read on as his harrassing adversary walked up the aisle:

> "Now Satan comes with dreadful roar,
> And threatens to destroy;
> He worries whom he can't devour,
> With a malicious joy."

My informant reported no breach of churchly decorum, no interruption. The sermon beyond doubt was preached that day as usual.

His public utterance was free and bold. He would speak what he believed if it were wise; if not, he could be silent. I think him sincere,—never shaping his words to curry favor, nor bending his views to personal ends. He would not have saved his pulpit by being untrue to himself. Yet in his official work, he was politic, tactful, cautious, could deal wisely with difficult matters. But the climbing up some other way, the movements of the "New Lights," as often then the itinerant evangelistic workers were contemptuously called,—drew him out in free and pointed speech.

There came into town a representative "new woman" for that time, a voluble, effective Free Baptist exhorter, Judy Prescott, who created no small stir.

On the next Sunday his congregation learned, if not before, his opinions on such doings, by a sermon as pointed and vigorous as was the text he employed: "I have a few things against thee because thou sufferest that woman Jezebel which calleth herself a prophetess to teach and to seduce my servants."

The town's plans to provide a colleague for the aged pastor went forward slowly. In 1816, he addressed a letter to those under his ministerial care, in which he adverts to his advanced age and infirmities, and the present supply of the pulpit, and proposes, "so long as you supply with a learned, pious, orthodox Congregational minister, I shall be highly gratified and will relinquish my salary towards his support." Jonathan Adams was then under engagement, and was ordained February 1, 1817. The aged pastor retired from public duty, added eight more quiet years, completing sixty years of ministry in the town, and died September 29, 1824, aged eighty-six years and four months. His ashes rest where almost may the morning sun cast the shadow of the meeting-house of his long labors athwart his grave. Sound and strong, though modernized, it still [1904] serves well its purpose in its one hundred and forty-seventh year (built 1757) — among the oldest churches in the state.

He left none to perpetuate the family name,— an infant son by the second marriage bearing it but a few days. The motherless daughter, Mary Ford Winship, when not yet seventeen, married Capt. Samuel Reed. Through her four sons a numerous posterity trace their lines back to the Woolwich minister. His capacious house built in 1769 remains with the farm in the possession of a great-grandson.

This word more: No question concerning the honorable and valued place this minister held in the town; nor of fraternal acceptance by his brethren in the ministry. There may be question of his exemplification

of the deeper evangelical truth and the degree of his general helpfulness to spiritual religion. Of the furnishing of his own heart, none then had right to assert, surely none now can decide. The Lord who knoweth His own, knew him, this servant in His church and judged aright.

THE PLYMOUTH COLONISTS IN MAINE

BY REV. HENRY S. BURRAGE, D.D.

Read before the Maine Historical Society, November 16, 1899

A new interest has been awakened in the Pilgrim Plantation at Plymouth by the recent publication of Bradford's History, from the original manuscript, now in the possession of the Commonwealth of Massachusetts. In its main features this story of heroic endurance and sublime faith is well known to all who have given any attention whatever to our early New England history; yet he has missed much who has not traced the fortunes of the Pilgrim Fathers in the quaint narrative of their first governor. To us, living in Maine, however, the story as told by Bradford has a peculiar interest from his frequent allusions to places and events within our own borders; and in reading the narrative one is soon impressed by the fact that a closer relation existed between the Plymouth Colony and what is now the state of Maine than has hitherto been indicated.

When the Pilgrims, during their residence in Holland, were considering the question of a removal to some part of the new world, there were those in their number who expressed a very decided preference for Guiana, in South America, concerning which such glowing accounts had been written by Sir Walter Raleigh. Others favored a settlement within the

limits of the Virginia Company, but not in connection with the colony already established on the banks of the James River, where again they might be brought into conflict with the English church. New England had no attractions for them on account of the severity of its climate, reports concerning which had been preserved in the records of the Popham Colony and in the relations of various voyagers. All things considered the country about the Delaware River seemed to offer the most favorable opportunity for the successful establishment of a permanent colony. The Virginia Company, whose territory extended from Cape Fear to Long Island Sound, was willing to co-operate with the Pilgrims, and offered to grant them a tract of land with all the rights of self government which the Company itself possessed. Such a grant accordingly was secured, not in the name of the Pilgrims, however, but of Mr. John Wincob, an English gentleman who was interested in the movement and proposed to throw in his fortunes with theirs. "But God so disposed," says Bradford, "as he never went nor they ever made use of this patente."[1] Some Dutchmen at Manhattan, also, made "faire offers," proposing to transport the entire company to that trading post at the mouth of the Hudson River and conceding to them the right of self government in their internal affairs. In response to this offer, early in 1620, a statement was made to the stadtholder giving the conditions on which the Pilgrims would consent to establish their colony at Manhattan. These

[1] Bradford's History, p. 51.

conditions were at length rejected, but before the reply was received negotiations with the Dutch on the part of the Pilgrims had been broken off by the advice of Mr. Thomas Weston, a London merchant, who visited Leyden and persuaded the Pilgrims "not to medle with y^e^ Dutch, or too much to depend on y^e^ Virginia Company ; for if that failed, if they came to resolution, he and such marchants as were his freinds (togeather with their owne means) would sett them forth; . . . . Aboute this time also," adds Bradford, "they had heard, both by Mr. Weston and others, y^t^ sundrie Hon^bl^: Lords had obtained a large grante from y^e^ king, for y^e^ more northerly parts of that countrie, derived out of y^e^ Virginia patente, and wholy secluded from their Govermente, and to be called by another name, viz. New England."[1] The reference is to what is now known as the New England charter.

It was not the purpose of the Pilgrims in following the advice of Weston and others to settle in that part of New England to which they came in December, 1620. This is made clear by Bradford. Referring to the voyage of the Mayflower, he says : "After large beating at sea they fell with that land which is called Cape Cod ; the which being made & certainly knowne to be it, they were not a little joyfull. After some deliberation had amongst themselves & with y^e^ m^r^ of y^e^ ship, they tacked aboute and resolved to stande for y^e^ southward (y^e^ wind & weather being faire) to finde some place aboute Hudsons river for their hab-

[1] Bradford's History, pp. 54, 55.

itation."[1] But the Pilgrims soon found themselves among the "deangerous shoulds and roring breakers" off the southerly part of the Cape and perceiving their peril they bore "up againe" for the Cape and the next day anchored in "y^e^ Cape-harbor." The settlement at Plymouth followed. The Mayflower voyagers had long enough braved the wintry Atlantic, and were glad to find a resting place even if it were on the bleak, inhospitable shores of New England.

About two months after the Pilgrims landed at Plymouth, an Indian walked down the street on which they had built the log-huts of their little settlement. To the surprise of the colonists who met him he addressed them in broken English. His name was Samoset, and he told them that he had obtained his use of their language from the captains and sailors of English fishing vessels that came each year to "y^e^ easterne parts" to fish. From him the Pilgrims derived much valuable information. He told them about the Indians in their vicinity, their names and number. Later he made them acquainted with Squanto, or Tisquantum, to whom they were so much indebted subsequently; also with the great chief, Massasoit. Samoset also told them "many things concerning y^e^ state of y^e^ country in y^e^ east-parts wher he lived, which was afterwards profitable unto them"[2]— how profitable Bradford makes known in the further unfolding of his narrative. Doubtless the

1 Bradford's History, p. 93.

2 Bradford's History, p. 114.

Indian's story was not fully intelligible, but from his imperfect use of the English language the Pilgrims learned enough to give them some acquaintance with a region not very remote to which their own countrymen had made more or less profitable voyages for fishing or trading purposes since the days of the Popham Colony; and what they thus learned, as Bradford intimates, was not forgotten.

The merchant adventurers in London, who furnished the capital for the Pilgrim enterprise, expected large returns for their venture. Very naturally the colonists desired to meet their just expectations. But the early years of Bradford and his associates at Plymouth were spent almost wholly in the eager struggle for existence. Squanto taught them how to raise Indian corn, but from their scanty harvests it was difficult at first to procure subsistence sufficient for their own necessities. The Mayflower returned to England without lading. But the Fortune, in 1621, on her return voyage carried "good clapbord as full as she could stowe," manufactured by the hard labor of the Pilgrims during the preceding winter doubtless. She also carried two hogsheads of beaver and other skins, which for a few trifling articles they had purchased of the Indians. The Fortune unfortunately was captured on the voyage by Frenchmen and taken to a French port, where before the release of the vessel everything of value on board was confiscated. The loss of the cargo was a grievous disappointment to the Pilgrims as well as to the merchant adventurers impatiently awaiting the arrival of such

products of the new world as the colonists could send to repay the money and goods they had advanced.

About the end of May, 1622, when the provisions of the Pilgrims were nearly exhausted, they discovered a boat at sea which at first they thought to contain Frenchmen, but which proved to be a shallop from a fishing vessel at Damariscove. The shallop had seven passengers who had crossed the Atlantic in this vessel. With this addition to the colony, however, there came no supplies to the hungry colonists. Among other letters which the shallop brought, however, was one from the master of a fishing vessel at Damariscove, one John Huddlestone. Huddlestone was a stranger to the Pilgrims, but from some one of the vessels that had come from Virginia he had heard of the massacre of the colonists there by the Indians, and his letter was intended to put the Pilgrims on their guard lest a like fate should befall them. Bradford wrote a letter of grateful acknowledgement in response, and Mr. Winslow, in a boat belonging to the colony, accompanied the shallop to Damariscove on its return, with instructions to procure for the colonists "what provisions he could of y^{e} ships." Huddlestone not only furnished Mr. Winslow with such supplies as he could spare from his own stores, but he gave him letters to the captains of other fishing vessels in the vicinity, who treated him in a like generous way, by which, says Bradford, "y^{e} plantation had a double benefite, first, a present refreshing by y^{e} food brought, and secondly they

knew y^e^ way to those parts for their benefite hereafter." [1]

By the supplies received from the fishing vessels at and near Damariscove the Pilgrims were enabled to subsist, though most frugally, until the welcome time of harvest arrived. But the corn they then obtained did not furnish the colonists with a full year's supply, and there would have been hunger in their log-cabins, if they had not obtained subsistence from the neighboring Indians. No attempt to add to their stock from the "eastward," however, was made until early in March, 1624, when the pinnace was newly fitted out and despatched thitherward on a fishing cruise. She arrived safely at a place near Damariscove "and," as Bradford says, "was there well harbored in a place wher ships used to ride, ther being also some ships allready arrived out of England. But shortly after ther arose such a violent & extraordinarie storme, as y^e^ seas broak over such places in y^e^ harbor as was never seene before, and drive her against great roks, which beat such a hole in her hulke, as a horse and carte might have gone in, and after drive her into deep water, wher she lay sunke."[2] The master of the

[1] Edward Winslow's own account of this trip to Damariscove is more complete than that of Bradford's and is found in the Collections of the Massachusetts Historical Society, First Series, Vol. 8, p. 245. R. K. Sewall, in his Ancient Dominions of Maine, refers to Winslow's account of this affair, and calls attention to it as indicating "that the inhabitants of Damariscove were a thrifty and generous people." The intimation is that Winslow received his supplies from the inhabitants of Damariscove — that there was a settlement there which, to use Mr. Sewall's own words, had become the "granary of the embryo settlements of New England." Both Winslow and Bradford, however, make it abundantly evident that the supplies were obtained from the fishing vessels at Damariscove and vicinity. They were "such victuals as the ships could spare."

[2] Bradford's History, pp. 187, 188.

pinnace and one of the men were drowned, while the rest rescued themselves with the greatest difficulty, and at length made their way back to Plymouth and reported the disaster. Later in the season, some of the masters of the fishing vessels at Damariscove sent word to the Plymouth colonists that it was a pity so fine a vessel should be lost and they offered, provided the Pilgrims would defray the cost, to raise the wreck, and provide ship carpenters "to mend her." The Pilgrims thanked the captains for their kindly offer, and sent men to Damariscove and also beaver to provide for the expense. A large number of empty casks were fastened to the wreck at low water, and when the tide rose and the wreck was lifted, they drew it to the shore "in a conveniente place wher she might be wrought upon; and then hired sundrie carpenters to work upon her, and others to saw planks, and at last fitted her & got her home."[1] But the venture as a whole proved a very unremunerative one.

Meanwhile Bradford and his associates at Plymouth were not only exerting themselves to the utmost to provide subsistence for the members of the colony, but at the same time they were earnestly endeavoring to pay their indebtedness to the merchant adventurers in London. In 1625, after harvest, which was the most abundant they had gathered since the establishment of the colony, they dispatched a boat's load of corn to "y^{e} eastward, up a river called Kenibeck."[2] This is Bradford's first mention of the Kennebec, but

[1] Bradford's History, p. 228.

[2] Bradford's History, p. 246.

the name must have been a familiar one to him from the time of their acquaintance with Samoset. The boat in which the corn was carried for this venture was one of two which the carpenter of the Pilgrims had built during the preceding year. "They had a little deck over her midships to keepe y^{e} corne drie," says Bradford, "but y^{e} men were faine to stand it out all weathers without shelter; and y^{t} time of y^{e} year begins to growe tempestuous." Mr. Edward Winslow was in charge of this Kennebec venture. Proceeding up the river, he found the Indians exceedingly well disposed, and had no difficulty in exchanging his store of corn for beaver, of which he obtained seven hundred pounds. When Winslow at length dropped down the river on his return homeward, he had laid the foundations of an exceedingly profitable trade, and he made his way back to Plymouth with high hopes that from this trade the colony would be able to discharge ere long its financial obligations in London. These hopes were not doomed to disappointment. The sight of the beaver, as Winslow and his boat's crew landed at Plymouth the proceeds of this Kennebec venture, was one with which the Pilgrims became more and more familiar as the years went by.

Little time was spent by the Plymouth men in fishing, but the colonists devoted themselves to "trading and planting," and this with "y^{e} best industrie they could." They had now learned the value of corn for trading purposes, and the amount planted was considerably increased, the governor and those who were associated with him in managing the traffic for the

benefit of the colony using all diligence in promoting the general welfare.

But in their traffic with the Indians other commodities than corn were desirable, and learning that the plantation at Monhegan belonging to certain merchants in Plymouth, England, was to be broken up and that "diverse usefull goods" brought there by these parties were to be sold, Governor Bradford and Mr. Winslow, with some other of the colonists, proceeded thither in a boat. Evidently they made their way along the coast, and when they reached Piscataqua, Mr. David Thompson, who resided there, "took opportunitie to goe with them," an unfortunate decision for the Plymouth men. For when they came into the harbor at Monhegan, the traders there had two bidders for their goods instead of one. They made a profitable use of their advantage, and the visitors at length, in order that they might not further work to each other's injury, bought the goods in common and then divided them equally. Various commodities obtained from the wreck of a French vessel had fallen into the hands of the traders at Monhegan and Damariscove. These, also, were bought in partnership, and the amount paid by the Pilgrim colonists was upward of £500. This payment was met by the beaver and other furs which they secured from the Indians of the Kennebec. The Plymouth men were now well supplied with articles for their traffic on that river. "With these goods," says Bradford, "and their corne after harvest, they gott good store of trade, so as they were enabled to pay their ingagements

against y^e^ time & to get some cloathing for y^e^ people, and had some comodities beforehand." [1]

Meanwhile the relations of the Pilgrims to the London merchant adventurers became more and more unsatisfactory. The adventurers had failed to secure the large returns they had expected from their venture, and in 1625 the majority of them deserted the colony. At the same time the Plymouth men, who better understood the difficulties encountered, were not pleased with the reproaches heaped upon them by their English promoters. In order to a better mutual understanding, the Pilgrims in 1625 sent Capt. Miles Standish to England. They desired also better terms in purchasing goods and lower rates of interest. "But he came in a very bad time," says Bradford, "for y^e^ Stat was full of trouble, and y^e^ plague very hote in London, so as no business could be done." Standish spoke with some of the Council, however, who promised helpfulness according to their ability, but little money was in circulation on account of the plague. With much "adooe" says Bradford, he borrowed "£150 at 50 per cent," which, after paying his expenses he laid out in goods and returned to New England in a fishing vessel. In the following year Mr. Allerton continued the negotiations with the creditors in London, and an agreement was at length reached by which the Plymouth colonists were to pay the London adventurers £1800, of which £200 were to be paid annually until the whole debt was provided for, the first payment to be made in 1628. "This

1 Bradford's History, p. 252.

agreemente," says Bradford, "was very well liked of, & approved by all y^e^ plantation, and consented unto: though they knew not well how to raise y^e^ payment, and discharge their other ingagements, and supply the yearly wants of y^e^ plantation, seeing they were forced for their necessities to take up money or goods at so high interests."[1] But the trade with the Indians on the Kennebec inspired hopefulness in the colonists. They needed for this trade, however, a larger boat than they now possessed. They ran a great hazard in their trips along the coast in a small craft, especially in the winter season. In their perplexity the house carpenter of the colony was consulted. He was an "ingenius man," according to Bradford, and had wrought with the ship carpenter, now dead, when he built the boats they had used hitherto. So he was asked to make trial of his skill in the same art. This he did. Selecting one of the largest of the boats he sawed it "in y^e^ midle and so lenthened her some 5 or 6 foote, and strengthened her with timbers, and so built her up and laid a deck on her."[2] The result was a convenient and serviceable vessel, which the colony used for trading purposes on the Maine coast seven years.

But the Pilgrims needed not only a larger vessel for their increased Indian traffic on the Kennebec, but such a foothold there as vested rights alone would secure. This very soon became evident. There were those who let it be known that they desired to obtain

1 Bradford's History, p. 257.

2 Bradford's History, p. 253.

at least a share of this profitable traffic. Among others, the traders at Piscataqua had their eyes directed thitherward, and there were parties also farther to the eastward who were eager to extend their trade in that direction. Then, too, there were the masters of fishing vessels on the coast, who very naturally wished to add to their profits by traffic with the Indians. Indeed the threat was made of procuring in England a land grant of the region and of excluding the Plymouth men from the Kennebec by means of such a grant. The Pilgrims, therefore, as Bradford says, "thought it needfull to prevent such a thing." Only a hint with reference to this proposed action was necesary to move them promptly in the same direction. Mr. Allerton was about to go to England for the purpose of adjusting financial matters with the merchant adventurers. They now directed him to secure for the Plymouth colonists a patent for such a tract of land on the Kennebec as would enable them to control the Indian traffic of the river. Mr. Allerton was successful in his undertaking so far as the financial affairs of the colony were concerned. He also secured "a patente for Kenebeck," but its terms were unsatisfactory to the Pilgrims. "It was so straite & ill bounded," says Bradford, "as they were faine to renew & inlarge it the next year." [1]

This was done and the patent was issued January 13, 1629, "for and in consideracon, that William Bradford and his Associates, have for these nine years lived in New Englande aforesaid, and have there

[1] Bradford's History, p. 280.

inhabited and planted a Towne, called by the name of New Plymouth, att their owne proper Costs and Charges; and now seeinge that by the spetiall Providence of God, and their extraordinary Care and Industry, they have encreased their Plantacon to neere three hundred People, and are vppon all Occasions able to releive any new Planters, or other his Majestie's Subjects, whoe may fall vppon that coaste."[1] The first part of the patent confirmed to the colonists at New Plymouth the tract of land on Massachusetts Bay on which their colony was planted. But to this grant was added another in these words: "And forasmuch as they have noe convenient Place, either of Tradinge or Fishinge within their own precincts, whereby (after soe longe Travell and great Paines) soe hopefull a Plantacon may subsiste, as alsoe that they may bee incouraged the better to proceed in soe pious a Worke, which may especially tend to the Propagation of Religion, and the great Increase of Trade to his Majestie's Realmes and Advancements of the publique Plantacon," the Council also granted to William Bradford for the Plymouth Colonists, "all that Tracte of Lande or Parte of New Englande in America aforesaid, which lyeth within or betweene, and extendeth itself from the vtmost Limitts of Cobbiseconte alias Comuseeconte, which adioneth to the River of Kenebeke, alias Kenebekike, towards the western Ocean, and a Place called the Falls att Nequamkike, in America aforesaid, and the space of fifteen Englishe miles on each side of the said River

1 Hazard, Historical Collections, Vol. I, p. 300.

commonly called Kenebek River, and all the said River called Kenebek, that lies within the said Limitts and bounds eastward, westward, northward, or southward laste aboue menconed . . . . together with free Ingresse, Egresse and Regresse with Shipps, Boats, Shallops and other vessels from the Sea commonly called the Westerne Ocean, to the said River called Kennebek, and from the said River to the said Westerne Ocean."

It should be noticed that the patent makes prominent the fact that the Kennebec afforded facilities for trading with the Indians which Plymouth and the neighboring localities did not furnish. It should also be noticed that while this grant to the Pilgrims did not extend to the mouth of the Kennebec river, it secured to them the right to pass in and out, and they could easily hold the trade of the river, having the first chance of meeting the Indians as they descended the stream in their fur-laden canoes. Not any too soon, however, had the Plymouth colonists obtained this advantage. Without it, as subsequent events showed, they would have found it much more difficult to keep back their eager and troublesome rivals.

On the banks of the Kennebec, upon this tract of land thus secured, the Pilgrims erected a fort and trading house. Concerning the location upon which these stood there have been various opinions. Sullivan in his History of the District of Maine,[2] says with some hesitancy that "it was on what is now called

[1] Hazard, Historical Collections, Vol. I, pp. 300, 301.

[2] p. 174.

Small Point; on the west side of the river, and near the sea. Tradition," he adds, "assures us that Popham's party made their landing on the island now called Stage Island; and as there are the remains of an ancient fort on Small Point, and wells of water of long standing, with remains of ancient dwelling houses there . . . it may be concluded that the Plymouth Fort was at that place." By Small Point Sullivan plainly has in mind the whole tract of land between the Kennebec and Casco Bay, and the Pilgrim's fort and trading house in his view therefore was located on the eastern part of this tract bordering on the river and not far from its mouth. Williamson, in his History of Maine,[1] however, says that the Pilgrims in prosecuting the trade of the river had three stations for local traffic, one at Popham's fort, one at Richmond's landing and one at Cushnoc. In another place[2] he says that the Pilgrims had two trading stations on the river, "one at Fort Popham and one at Cushnoc." There is no evidence, however, that the Pilgrims established a trading post at the mouth of the river. This was not within the limits of their patent. Moreover the early Pilgrim writers make mention of only a single trading house on the river. Bradford, writing of events that occurred in 1631, mentions "y^{e} house ther."[3] Again, writing of events that occurred in 1634, he refers to some who "would needs goe up y^{e} river aboue their house (towards

1 Vol. I, p. 237.

2 Vol. I, p. 252.

3 Bradford's History, p. 348.

y^e^ fall of the river) and intercept the trade that should come to them,"[1] *i. e.* the Pilgrims. If the Plymouth Colony had more than one trading house on the Kennebec Bradford could hardly have failed to mention the fact. It is accordingly the accepted view at the present time that the Pilgrims had a single trading post only on the Kennebec, and that this was at Cushnoc, the present Augusta.

After they had thus firmly established themselves on the Kennebec, Bradford and his associates came into possession of a trading house on the Penobscot. In 1629, some of the English merchant adventurers, who were interested in the Pilgrim enterprise, entered into business relations with one Edward Ashley and furnished him with goods for trading purposes. Bradford describes Ashley as "a very profane younge man," who had "for some time lived amonge y^e^ Indians as a savage." Though he had "wite and abillitie enough to menage y^e^ busines," Bradford "feared he might still rune into evill courses (though he promised better)," and that "God would not prosper his ways."[2] Ashley opened a trading post "at Penobscot."[3] While the Pilgrims had no confidence in the man, they foresaw that a trading post on the Penobscot in unfriendly hands would be prejudicial to their Kennebec interests. So "to prevente a worse

1 Bradford's History, p. 377.

2 Bradford's History, p. 309.

3 It is the general opinion that the trading house at Penobscot was at Castine. For the difficulties connected with its location, however, see S. A. Drake's "The Plymouth Trading House at Penobscot," Maine Historical Society's Collections, Second Series, Vol. III, p. 409.

mischeefe," as Bradford[1] puts it, they "resolved to joyne in y^e^ bussines" and furnished Ashley with supplies. But Ashley soon exhibited his true character and having been detected in selling powder and shot to the Indians (which he was under bonds not to do) he was arrested by parties not mentioned and taken to England where he was imprisoned in the Fleet. Ashley, however, had influential friends, who at length secured his release, and he was planning to return to New England when he received an offer from certain London merchants to go to Russia in their interest. This offer he accepted, but on his return he "was cast away at sea; this," adds Bradford, "was his end." The trading post at Penobscot meanwhile had been maintained by the Pilgrims and it passed in this way into their hands, so that although Mr. William Pierce "had a parte ther" it was "wholy now at their disposing."

This trading post at the Penobscot was not altogether a source of profit to the Pilgrims. In 1631, the house was robbed by some Frenchmen, who secured beaver and goods to the value of from four hundred to five hundred pounds. Bradford's account of the affair is as follows: "The M^r^ of y^e^ house, and parte of y^e^ company with him, were come with their vessell to y^e^ westward to fecth a supply of goods which was brought over for them. In y^e^ mean time comes a smale French ship into y^e^ harbore (and amongst y^e^ company was a false Scott); they pretended they were newly come from y^e^ sea, and knew

1 Bradford's History, p. 328.

not wher they were, and that their vesell was very leake, and desired they might hale her a shore and stop their leaks. And many French complements they used, and congees they made; and in y^e^ ende, seeing but 3 or 4 simple men, y^t^ were servants, and by this Scoth-man understanding that y^e^ maister & y^e^ rest of y^e^ company were gone from home, they fell of comending their gunes and muskets, that lay upon racks by y^e^ wall side, and tooke them downe to looke on them, asking if they were charged. And when they were possesst of them, one presents a peece ready charged against y^e^ servants, and another a pistoll; and bid them not sturr, but quietly deliver them their goods, and carries some of y^e^ men aborde, & made y^e^ other help to carry away y^e^ goods. And when they had tooke what they pleased, they sett them at liberty, and went their way, with this mocke, biding them tell their M^r^, when he came, that some of y^e^ Ile of Rey gentlemen had been ther." [1]

Of course the Plymouth colonists could not expect reparation for their loss, and Bradford closes his account of the affair without comment, but evidently not without a groan.

The trading house on the Kennebec was a larger source of revenue to the Pilgrims than the trading house at Penobscot, but it was not an unmixed blessing. From the first other parties desired to secure at least a part of the traffic with the Indians whose villages were on the Kennebec or who made the river a thoroughfare. In 1634, one John Hocking, who lived

1 Bradford History, p. 351.

at Piscataqua, agent for Lords Say and Brooke and other Englishmen interested in the settlement there, made his way to the Kennebec, purposing to proceed in his vessel up the river beyond the Pilgrim trading house, and so to secure trade with the Indians that otherwise would fall into the hands of the Plymouth colonists. John Howland, who was in command of the Pilgrim trading post, protested against this effort on the part of Hocking, insisting that it was an infringement of rights secured to the Pilgrims by their patent. The appeal was to that clause in the grant which authorized Bradford and his associates "to take, apprehend, seize and make prize of all such persons, there Shipps and Goods, as shall attempt to inhabit or trade with the savage People of that Country within the several Precincts and Limitts of his and their several Plantacon." But Hocking refused to heed the protest made by Howland. He said, as Bradford puts it, that he "would goe up and trade ther in despite of them and lye ther as long as he pleased," and in the effort to make good his words he sailed past the Pilgrim fort and anchored. Howland then went to Hocking, and having again called his attention to his unjustifiable action he urged him to take his vessel down the river; but Hocking still refused. He was in a position to have the first chance for trade with the Indians as they descended the river in their canoes, and he intended to make the most of it. Howland accordingly proceeded to action. Instructing his men not to fire their guns upon any provocation, he sent two of them to cut the cable of

Hocking's vessel. This they succeeded in doing, and as the vessel started down the stream, Hocking seized a musket and killed one of the Plymouth men, Moses Talbot. His companion in the canoe, who "loved him well," as Bradford says, could not restrain himself, and levelling his musket at Hocking he shot him in retaliation. The vessel continued on its course down the river, and Hocking's men, on their return to the Piscataqua, carried the tidings of the affair thither.

This report in due time reached Lords Say and Brooke in England. In it the fact was withheld that Hocking, who was infringing on the rights of the Pilgrims, had killed one of the Plymouth men; and Lords Say and Brooke were indignant at the treatment Hocking had received on the Kennebec. The same version of the affair, either from the Piscataqua or from England, was carried to the colonists of Massachusetts Bay. When, not long after, the Plymouth colonists sent their vessel to Boston, the authorities there arrested John Alden, who was at the Kennebec trading post when Hocking was killed, though not a participant in the affair. The Plymouth colonists regarded Alden's arrest as an unfriendly proceeding on the part of the Massachusetts officials, and sent Capt. Miles Standish to Boston with letters from Bradford and others to secure Mr. Alden's release. This was effected, but at the same time Capt. Standish was put under bonds to appear at the next court, June 3, 1634, with a certified copy of the patent showing the rights of the Plymouth colonists on the

Kennebec. At this meeting of the court the Massachusetts Bay authorities made it evident that they did not wish to give offence to the Plymouth colonists, but it was equally evident that they desired to make in England a favorable impression in their own behalf, as if they were the special guardians of law and order in New England. Governor Dudley in a private letter counselled patience on the part of the authorities at Plymouth. After a while Mr. Winthrop suggested a conference in which the Plymouth colonists, the colonists at the Piscataqua, and those of Massachusetts Bay should be requested "to consult and determine in this matter, so as y^e^ parties meeting might have full power to order and bind," "and that nothing should be done to y^e^ infringing or prejudice of y^e^ liberties of any place."[1] Such a conference was held in Boston, but only the Plymouth and Massachusetts Bay colonists were represented. The matter, however, was fully discussed, and an opinion of each representative, both magistrates and ministers, was requested. The result was that while "they all wished these things had never been, yet they could not but lay y^e^ blame & guilt on Hockins owne head." At the same time "grave and godly exhortations" were made to the Plymouth men, which they "imbraced with love & thankfullnes, promising to indeavor to follow y^e^ same,"[2] and there was no further agitation of the matter. Mr. Winslow was sent to England not long after in order to see that no harm

1 Bradford's History, p. 383.

2 Bradford's History, p. 385.

should come to the colony in consequence of this affair, but he found that the agitation had ceased there also.

The extent of the Pilgrim trade on the Kennebec at this time may be inferred from the fact that Mr. Winslow took with him to England 3,738 pounds of beaver, "a great part of it being coat-beaver sould at 20^s p^r pound" the proceeds of the sale of which went into the hands of the London merchants to whom the colonists were indebted. According to Bradford, between November, 1631, and June, 24, 1636, the Pilgrims sent to England 12,530 pounds of beaver, the most of which was obtained from the Indians on the Kennebec. It was from the sale of this beaver in a great measure that they were able at length to extricate themselves from the financial difficulties in which they had become involved through their London agents.

But their troubles at Penobscot were not ended. At the trading house there they suffered a still greater loss from the French in 1635. Chevalier Charles de Menou, or as he is usually styled D' Aulnay Charnisay, appeared one day in the harbor, sent thither by Sir Isaac de Razilli, who had command of the French forces in Canada. His orders were to expel the English as far as Pemaquid. D'Aulnay at first was lavish in compliments, but he soon revealed his true character and purpose by taking possession of the trading house. Declining to make payment for the goods with which the house was stored, although he said he would settle with the

Pilgrims when convenient, D'Aulnay bestowed upon the Pilgrim party at the post some provisions and sent them back to Plymouth in their shallop. On their arrival at Plymouth they rehearsed these facts. The Pilgrim spirit was stirred, and at once the Plymouth men proceeded to consult their brethren of Massachusetts Bay. The affair was one in which they were interested as well as the Plymouth colonists, as it was not desirable for English interests that the French should obtain a permanent foothold at Penobscot. When, therefore, the Pilgrims proposed to hire a vessel for the purpose of retaking the trading post at Penobscot, the Bay colonists gave their approval to the project. The vessel secured for this purpose was commanded by one Girling, who agreed to drive off the French and deliver the trading post again into the hands of the Plymouth men for seven hundred pounds of beaver, which was to be delivered to him there when he had accomplished the undertaking. If he failed Girling was "to lose his labor and have nothing."

Capt. Miles Standish with twenty men accompanied Girling in a Pilgrim vessel on which was the promised beaver. Standish piloted Girling to the harbor on the shore of which the Pilgrim trading house was located. Before the trading house was within reach of his guns, however, Girling began to blaze away. Miles Standish was indignant and remonstrated with Girling at this display of folly. But Girling had already exhausted his supply of powder, and could do nothing else but retire. When he made known

this state of things to Capt. Standish, the latter, in order that the expedition might not prove a failure, offered to get a supply of powder at the nearest plantation. The offer was accepted and Standish bore away; but subsequently, learning that Girling intended to seize the Pilgrim vessel on his return and so secure the beaver, Standish sent to Girling the promised powder supply, but took the beaver home. Girling made no further attempt to recover the trading house at Penobscot and went his way.

The Plymouth men now laid the matter again before the authorities of the Massachusetts Bay colony, believing that the French would at once endeavor to strengthen their position at Penobscot. At first the Massachusetts men were inclined to furnish the needed assistance in driving away the French. Soon, however, they not only declared their inability to do anything, but began to trade with the French at that point, furnishing them with provisions and ammunition; and so, as Bradford asserts, became "the cheefest supporters of these French." The colonists at Pemaquid also furnished the French both supplies and information, adding guns and ammunition for the Indians, to the great amazement of Bradford and his associates, who made no further attempt to regain possession of their trading house at Penobscot.[1]

After the Pilgrims had settled their accounts in London so that they were no longer indebted to the

[1] For Hon. J. E. Godfrey's reference to this affair see his "Pilgrims at Penobscot," Maine Historical Society's Collections, First Series, Vol. VII, pp 33-37.

merchants there for both outfit and subsequent advances of money and goods, but had become independent, each member of the colony working for his own interest, the trade with the Indians on the Kennebec was leased to parties interested in its maintenance. In 1640, Bradford surrendered the patent of the lands occupied by the colony to the free men of the colony, the patent, including the Kennebec grant having been issued to him, his heirs and associates and assigns. At a General Court held at Plymouth June 8, 1649, a committee was appointed to treat of and let the trade at the Kennebec, which accordingly on the 4th of July following they did for the term of three years, the colony retaining only civil jurisdiction there. June 29, 1652, it was agreed to sell the trade at Kennebec to those who formerly had it, on the same terms as before and for the same number of years. But to the Pilgrims it seemed more and more desirable as the colonists upon the New England coast multiplied to secure an extension of their grant on the Kennebec so that it should include lands on both sides of the river to the mouth of the river. In the Calendar of State Papers[1] occurs the following record: "March 8, 1652, an order of the Council of State was passed for a report to be presented to Parliament upon petition of Edward Winslow, on behalf of William Bradford, Governor of New Plymouth in New England, and his associates, wherein he sets forth that for many years the plantation has had a grant for a trading place in the river Kennebec, but

1 Vol. I, p. 376.

not having the whole of the river under their grant and government, many excesses and wickednesses have been committed, and the benefit of the trade for furs, one of the greatest supports of their plantation, has been taken from the inhabitants of New Plymouth, and prays for a grant of the whole river of Kennebec: recommending the desire of the petitioners be granted, with a saving in the grant of the rights of any of the people of the Commonwealth, the grant to pass under the Great Seal, if Parliament think fit."

An added record, under date of April 29, 1652,[1] shows that the petition of Mr. Winslow was referred to the Commitee for Foreign Affairs to report upon what had been done in cases of like nature. March 16, 1653, the committee made a report recommending to the Council of State "that the government of the whole river of Kennebec in America be granted to the town of New Plymouth, in New England, for seven years, by way of probation." The committee's report was evidently adopted.[2] In other words the grant of land was not extended, but the jurisdiction of the Pilgrim authorities was extended over the territory to the mouth of the Kennebec for a limited period.

In accordance with this order, at a General Court held at Plymouth March 7, 1653, Mr. Thomas Prence, one of the magistrates of Plymouth, was authorized to summon all the inhabitants dwelling on the

[1] Calendar of State Papers, Vol. I, p. 378.

[2] Plymouth Colony Records, Vol. III, p. 58. "Whereas it hath now pleased the right honble counsell of State, by authoritie of Parliament, to confer the govement of the afors'd inhabitants vpon the jurisdiction of New Plymouth," &c.

Kennebec to some convenient place "to receive from him such instructions and orders" as he had received from the General Court.[1] The records of the Plymouth colonists make it abundantly evident that it was only "the goument of the aforsd inhabitants," living on either side of the Kennebec from its mouth to the southern limit of the Pilgrim patent, that was conferred upon the Plymouth men by the mother country. This governmental authority was exercised by the Pilgrims and in 1648 and again in 1653 they protected and extended their land interests to the northward by deeds of land from the Indians.

But things grew worse instead of better on the Kennebec. At a General Court held at Plymouth June 7, 1659, the following action was taken: "Forasmuch as we have good information that Things are in such a Posture at Kennebec, in Reference to some Troubles among the Indians, some of whom being slain, some carried away and thereby also discouraged, that there is a present desisting from their Hunting, and so a cessation of the Trade, whereby such as have rented the Trade of the Country, are so far discouraged, that they see, and it probably appeareth, that they will not only be disabled for paying the expected Rent, but will be likely to suffer great Losses; and do also fear they may be forced wholly to desist and to call Home their Estate there; whereby the Trade may be indangered to be lost for the future, if some Course be not taken about it. The Court do

1 The instructions to Mr. Prence are given in the Plymouth Colony Records, Vol. III, p. 44, and also the form of the oath which was to be administered to the settlers on the Kennebec.

therefore recommend to the several Townships Consideration, and desire they would depute some men whom they can betrust, to signify their minds at the Sitting of the General Court in October next; and to impower them to act in the Premises." [1]

At this meeting of the Court the rent of the Kennebec trade for the year 1659 was remitted, and it was agreed that the "Farmers of the Trade" should pay ten pounds to the colony for the year next ensuing; and at the end of said term, viz. November 1, 1660, the said Farmers should leave the Kennebec trade to the disposal of the colony, the Farmers agreeing also not to have any trade with the Indians on the Kennebec later than November 1, 1660.

When the General Court met at Plymouth June 6, 1660, it was voted that if £500 could be obtained for the colony's interest on the Kennebec, it should be sold. In accordance with this vote, the Pilgrims in 1661 sold all their lands on either side of the Kennebec, secured by their patent, also by deeds from the Indians, to Antipas Boies, Edward Tyng, Thomas Brattle and John Winslow. These persons and their heirs held their Kennebec lands nearly a century, making no endeavor to colonize them, but holding them for trading purposes only. In September, 1749, a meeting of the proprietors was held with a view to the introduction of settlers. Other proprietors were admitted, and in June, 1753, in accordance with an act passed by the General Court of Massachusetts permitting persons holding lands in common and

[1] Defense of the Remarks of the Plymouth Company [published 1753] pp. 40, 41.

undivided to act as a corporation, a corporation was formed under the title of "The Proprietors of the Kennebec Purchase from the late colony of New Plymouth," although the usual designation was the Plymouth Company. The land claim under this purchase greatly exceeded the claim of the Pilgrims and extended from Casco Bay to Pemaquid, and from the ocean to Carratunk Falls. But there were rival claims for a part of this territory. In 1758, it was decided that Clarke and Lake's north line on the east side of the Kennebec as claimed by Indian deeds should be that of the north line of the present town of Woolwich. The claim of the Wiscasset Company, also based on Indian deeds, was settled in 1762, and the dividing line between the two was fixed at half way between the Sheepscot and Kennebec rivers. In 1758, but finally consummated in 1766, the Pejepscot proprietors released to the Plymouth Company the lands between the Kennebec and New Meadows, including Bath and Phippsburg, the west line to be fifteen miles from the Kennebec. The fourth settlement was with the Pemaquid proprietors in 1763. The Kennebec territory, as thus determined, extended from the ocean on the west bank of the river to Norridgewock, and was about thirty-one miles in width, with the river in the center.

I have no need to notice even briefly the steps that were taken by the proprietors of the Kennebec Purchase to people this large territory. This was done years ago by Robert H. Gardiner, Esq.[1] I have

1 Maine Historical Society's Collections, First Series, Vol. II, pp. 269-294.

accomplished my own purpose by showing how this territory came under the control of the Pilgrims, and how by its occupation they derived those revenues by which they succeeded at length in relieving themselves of the oppressive financial obligations incurred in establishing their colony at Plymouth.

THE PROPOSED PROVINCE OF NEW IRELAND

BY HON. JOSEPH WILLIAMSON

Read before the Maine Historical Society May 18, 1900

The design of the British government during the Revolution, of severing a portion of Maine from Massachusetts, and of erecting it into a province to be colonized by Loyalists, under the name of New Ireland, has received little attention from historians. The earliest published account of it appeared in the seventh volume of our Proceedings, and it has since been briefly noticed by Bancroft, in the closing volume of his history of the United States. Through the Royal Commission on Historical Manuscripts, I have obtained copies of several documents which illustrate the origin and progress of the project. These were found in the private collections of the Marquis of Lansdowne, the present Secretary of State for War, and of Earl Dartmouth, whose ancestor was Secretary for American Affairs during the Revolution. The first, an order approved in Cabinet August 10, 1780, and by the King on the following day, is as follows:

"It being judged proper and necessary to separate the Country lying to the North East of the Piscataway River from the Province of Massachusetts Bay, it is proposed to erect so much of it as lies between Sawkno River and the St. Croix (which is the South West boundary of Nova Scotia) and to extend from the Sea

between two North Lines drawn from the Heads of those Rivers to the Boundary of Canada, into a New Province, which from its situation between the New England Provinces and Nova Scotia, may with great propriety be called New Ireland, especially as the Æra of its establishment is coeval with that of opening the trade of Ireland with the American Provinces. The remainder of the Country lying between the Sawkno River and the Piscatway it is proposed to throw into New Hampshire in order to give that Province a greater Front on the Sea than it now has, and for reasons of deeper policy.

It is proposed that the Constitution of the New Province should be similar to that of East Florida at the outset, consisting of only a Governor and Council, a Chief Justice, and other Civil Officers, provided for by Estimate granted by Parliament, but that a declaration be made of the King's Intention to give it a complete local Legislative whenever the Circumstances of the Province will admit of it; and it may be proper to declare what that Legislative will be, as a Model of the Constitution wished to take place throughout America.

It has been found by sad experience that the Democratic power is predominant in all parts of British America. It is in vain to expect the Governor to possess the Shadow even of the Influence of the Crown to balance it, and the Council in the Royal Governments holding their Seats at the pleasure of the Governor, Men of personal weight prefer being Members of the Assembly to seats at that Board, and therefore the Members of it being chiefly Officers of the Crown without property and but little of the Aristocratick Influence to the Regal Authority of the Governor, altho they form a sort of Middle Branch of the Legislature. To combat the prevailing disposition of the People to Republicanism, and to balance the Democratic Power of the Assembly, It is proposed to form a distinct Middle Branch of Legislature. The Members to be appointed by the Crown and to hold their Seats during Life unless removed by His Majesty in Council upon a charge exhibited by a Majority of the Assembly or by the Governor and a Majority of the Privy Council. To preserve the

Influence of the Governor in this Upper House it is proposed that the Privy Council should all be Members of it, and to compose a Major part of the whole, and that in case of vacancies in the Privy Council they should be filled up out of the Members of the Upper House. It is also proposed that the Seats in the Privy Council should have Titles of Honor annexed to them or some Emoluments in the place of them to make them desired, at the same time the Governor to have the same power over them, all the King's Governors now have of suspending them from their Seats and thereby from their Honors or Emoluments, and if any distinction in England could be given them it would have a most powerful effect.

No Quit Rents have been reserved to the Crown in any grants within the Charter of the Massachusetts Bay, but it is proposed that the Lands in New Ireland shall be granted subject to a Quit Rent, tho' it might be proper to declare that when the Legislature shall make a grant of a permanent Revenue for the Support of the Government the produce of the Quit Rents will be given to be disposed of by them. An exemption from the payment of Quit Rent for a certain Term would however be proper to be granted to distinguished Loyalists. To prevent the admission of the disaffected and to continue the Inhabitants in their Principles of Loyalty and Attachment to Great Britain, and perpetuate those Principles in their Descendants, it is proposed that a Declaration be required to be made by every Grantee before the Governor and Council in the following Words. I do promise and declare that I will maintain and defend the Authority of the King, in His Parliament as the Supreme Legislature of this Province, and that a Condition be inserted in the Grant obliging all persons who shall come to the possession of any part of the Lands contained in it, either by Inheritance or purchase, to make and subscribe the same Declaration before a Magistrate within Twelve Months after coming into possession, and to have it Registered in the Secretary's Office of the Province on pain of Forfeiture of the Lands to the Crown.

The Province to be divided into Counties or Circuits, and subdivided into Parishes, in each Parish a Glebe Land to be laid out

and vested in Trustees for the Minister. The Church of England to be declared the Established Church, but the Governor to be the Ordinary and have the presentation to all Benefices. A Salary to be granted to each Minister payable out of the general Fund, and issued by Warrant of the Governor and Council. The King to appoint one of the Clergy His Vicar General to Superintend the rest, to hold Visitations and report to the Governor their behaviour, who may suspend or dismiss any Minister the Vicar General and his Clergy in Convocation shall represent against. Application to be made to the Bishops to superadd to the Vicar General a Power to Ordain. This has been done of necessity, in certain cases and if it be done here the Church will have the Advantage of a Bishop and no Alarm excited by the Name, and when the Function is become familiar the Title may easily be assumed. The Ordination of the Unitas Fratrum Society is allowed as valid as ours, and yet their Ordainers are neither called Bishops nor Lords — The Vicar General however to have a handsome Allowance.

To reward or Indemnify the Loyal Sufferers from the other Province, and at the same time lay the ground of an Aristocratic Power, the Lands to be granted in large Tracts to the most Meritorious and to be by them leased to the lower People in manner as has been practiced in New York, which is the only Province in which there is a Tenantry, and was the least inclined to Rebellion. The poorest Loyal Sufferers should however have Grants from the Crown.

The Attorney and Solicitor General of England should be directed to report what of the Laws of England will of their own Authority take place in the New Province, and what Acts of Parliament The King may by His Proclamation introduce and give effect to therein, tho' they are not extended by express Words, to the Colonies — This has never been done, and much confusion has arisen in the New Colonies from the want of it.

These are the Things necessary to be done in the New Province at the outset, but if the present be judged a proper time to

digest a System of Government for all America the occasion may be used for declaring the purpose of the Crown.

Estimate of the Civil Establishment of the Province of New Ireland.

Salary to the Governor in Chief	Oliver	£1200
Chief Justice	Leonard	400
Attorney General		100
Secretary and Register		100
Clerk of the Council	Dr. Califf	50
Receiver General of Quit Rents & Casual Revenue		100
Surveyor of Lands		100
Provost Marshal or Sheriff		100
Agent		Nothing
4 Ministers of the Church of England		400
A Vicar General in addition		200
Contingent Expenses		1000
		3750
Salaries to the 12 Counsellors		1200
		4950

The project had received attention from the Government during the preceding year, and was communicated to Governor Hutchinson, then in England. His diary, under date of September 3, 1778, recounts an interview with Mr. Knox, an official of the War department, who stated that the Penobscot district was "to be erected into a new province, and to be given to the refugees, ... as a recompense for their sufferings, and to ease Government of the expense it is now at for their support. It put me in mind of Mr. Locke's story of Lord Shaftesbury's friend, who, after he was privately married, sent for his Lordship and another friend, to ask their advice; and I observed

the same rule so far as to find no fault with the most preposterous measure, because already carrying into execution."[1] Probably the attachment which the Governor always retained for his native province of the Massachusetts Bay disinclined him to any plan of its dismemberment.

A later entry says: "Called at Lord George's [Germain] office. Mr. Knox said I was the only man to go Governor of a new Colony at Penobscot, and that Dr. Caner should be the Bishop. I showed him a letter I had received from Mr. Weeks, which speaks in pompous terms of the benefits from the possession of this country. He was much pleased, as it is his own scheme, and few people here think well of it. I said to him I thought we had better stay until we heard more of D' Etaigne, before we thought any further on measures for restoring peace to America."

After slumbering for nearly two years after the royal approval, the plan was revived by memorials from Dr. John Calef, agent for the Loyalists on the Penobscot and others. The following is a copy of one of these documents and also of another, giving an account of the inhabitants whom he represented:

To the Kings most Excellent Majesty in Council.

The Memorial and Petition of John Calef Esquire
Agent for the Inhabitants of the territory of
Penobscot most Humbly Sheweth

That your Majesty's Memorialist did in the year 1773, petition your Majesty in Council for & on behalf of James Duncan Benja. Hawod and the several other Grantees named in Grants. A Copy of which petition is hereunto annexed.

[1]Diary and Letters of his Excellency, Thomas Hutchinson, Esq., Vol. II, p. 218.

That before anything was done on the matter, the people of the Province of Massachusetts-bay committed such Enormitys, as that nothing has been done in this business to the present day.

Your Majestys Memorialist begs leave further to observe That, Although your Majestys subjects in the Province of Massachusetts bay, have not returned to their allegiance to your Majesty, yet the people of the territory aforesaid, have, from the beginning of the Rebellion proved themselves firmly attached to your Majestys Government, and several of them took the Oath of Fidelity to your Majesty in April 1779, and when General McLean arrived at Penobscot with your Majestys forces in June following many hundreds of them took the same Oath, and it would seem, that by far the greater part of those Inhabitants are firmly attached to the Laws & Government of Great Britain, That there are upwards of Sixteen Thousand Souls within said territory, destitute of Law & Gospel, and having lived so long without either, and population increasing with amazing rapidity, many disputes have arisen and are still increasing, and their Children are growing up as Ignorant as the Heathen who dwell among them.

That the said Inhabitants have no desire of continuing a part & parcel of Massachusetts-Bay, and would think themselves happy should your Majesty be graciously pleased to sever this District from the Province of Massachusetts-Bay, and erect it into a Government under your Majestys own Authority. And should your Majesty be most graciously pleased to send over a number of faithfull ministers of the Established Church well affected to Government, it would have a tendency to lead the people to a more firm attachment to your Majestys Government, and bring the Indians also to a love of it, being fond of Ministers & forms of Divine Worship — A post Road to be opened from Halifax to Boston by way of Penobscot and travilled in summer in twelve days — Also a Road from Quebec to Boston, and travilled in about the same time & way. If a small and well appointed sea force was sent to protect this Infant settlement, they would then be secure in their Cod & River fisherys & procure Masts for the Royal Navy, Lumber of all sorts, & in plenty, for other parts of

your Majestys Dominion, and of great annoyance to your Majestys Enemies.

Therefore your Majestys petitioner humbly hopes your Majesty will see this District in such light, and so usefull to the Crown of England as to sever it from the Massachusetts Province and to erect it into a government under your Majestys own authority. And Confirm the Settlers in their possessions. Thereby they will take Courage, become usefull Subjects. Raise Oscen, Grain, Sheep &c to haul Masts for the Royal Navy, and provisions for your Majestys Inhabitants in other parts of the Dominion, and security to a most valuable part of your Majestys territory in America.

And your Majesty's petitioner as in duty bound will pray

John Calef Agent for the
territory of Penobscot.

Copy given to Lord George Germain
July 12 1780

The state of the Inhabitants of
the District of the Penobscot
March 1782

By the Charter granted by the late King William and Queen Mary to the Province of Massachusetts-Bay, among other things it is expressed. That all Lands lying to the Eastward of Sagadahock Granted by our said General Assembly, shall not be valid without the Royal Approbation. The said Assembly in 1763, did grant thirteen Townships of said District to thirteen sett of Proprietors, who laid out a plan of each, and returned the same to the Assembly, which was approved, and accepted, and have laid out the Townships into lotts, and settled more than sixty families on each township, and made great Improvements, at the expense of all they are worth. In 1764, & again in 1773. they sent Agents to Great Britain to pray for the Royall confirmation of the Grants, but hitherto without effect, except that of Mount Desert to Governor Bernard.

John Perkins, Joseph Perkins, & Mark Hatch purchased of the first settlers, the greatest part of the Peninsula of Majabigwaduce lying in one of the said 13 Townships — These three men were always esteemed friends to Government, a proof whereof they gave to General Gage when shut up in Boston, by carrying Picketts, Lumber, Wood &c, several times in vessels of their own, for which, and to prevent their doing the like in future, a large Mob headed by a Colonel Cargill, seized their vessels and carried them away, and robed them of their Cattle — They, were also first in sending to his Majestys Officers at Annapolis in Nova Scotia, to Invite them in the Kings name to take post at Penobscot as it is set forth in a Proclamation issued by General Mac Lean dated June 15th 1779, inserted in pamphalet entitled The Siege of Penobscot, page 26, 27, 34 & 35. They did everything in their power to assist the General in erecting the fort, by their own Labour, and that of Oxen, and supplying the Troops with Provisions to a considerable amount, for part of which they received prompt payment, a considerable sum remains due to them to this day, in the hands of the D, Qr. Mr., after the seige was raised, They, their wives and children, were grossly insulted by the more unthinking part of the Army, too grateing to every human feeling — They, thereupon went to Old York, the Town where they had been borne, hoping there to find an Asylum; no sooner was their arrival known, but they were ordered to joyn the American Army or they should be hanged up without favour, or delay, They resolved not to joyn them, but to return to Penobscot, which they did; When, they found that their absence had been construed a Desertion, their property all taken from them, and their persons confined in jail, untill they should under hand and Seal, give up all right, title and Interest, they have to the Lands at Penobscot, which they refused to do, and they are still held under confinement — By the Proclamation signed by Sir George Collier & General MacLean August 1779, Sixteen persons belonging to Penobscot were proscribed, the most of whom, were ever esteemed equally attached to Government as the aforementioned, all of them with their numerous familys are from a state

of Affluence, driven to a state of Extreme poverty, & want, except one person who sets quiet.

Last Summer, Shubal Williams a man of sober life and Manners, near 70 years of age, an Inhabitant of Long Island, having a wife and large number of Children, frequently carryed fresh Provisions to the Troops, was sentenced to, & did receive, five hundred lashes on the Oath of an intoxicated Soldier, (as it is said) the neighboring Inhabitants were ordered to be Spectators of the punishment, the Bostonians published this affair in their Newspapers with additions, many of the old Settlers have left their possessions fearing the like treatment however Innocent,— Several persons now in England can attest to the truth hereof, when called.

These, and things of the like nature have done infinite prejudice to his Majesty's cause,— Should his Majesty be graciously pleased to Confirm the Grants aforesaid, to the Settlers, reinstate the three Men aforesaid, in their possessions, and order their property which has been taken from them, to be restored; it would remove the prejudices many have entertained of his Majestys intentions; give them satisfaction, and attach them more firmly to the Kings cause than ever before.

In Knox's Extra Official State Papers, it is stated that the proposed colony received its death-blow from an opinion rendered by the Attorney General of England, afterwards Lord Loughborough, who entertained scruples about violating the sacredness of the chartered rights of the Province of the Massachusetts Bay, arguing that these rights extended its limits to the river St. Croix, and that the eastern boundaries were not terminated at either the Saco, the Kennebec or the Penobscot. Up to this time Dr. Calef, who had remained in England two years, had been hopeful of success, but one morning, entering the office of Lord

North, these hopes were ended by his Lordship's saying, "Doctor, we cannot make the Penobscot the boundary; the pressure is too strong." Yet long afterwards the British claimed that Massachusetts had no title west of that river, and in 1814 took possession of all the land between it and the St. Croix, not as conquered territory, but as rightfully belonging to the crown.

JAMES W. BRADBURY

BY HON. GEORGE F. EMERY

Read before the Maine Historical Society January 25, 1901

In contemplating the life, character and career of the late Mr. Bradbury, it would be difficult to find among the distinguished sons of Maine any one who in all respects was his equal. Some of them have exhibited special brilliancy in one or more particulars, but he was eminent in all. Happily endowed with a vigorous physical constitution, "a sound mind in a sound body," supplemented by high moral qualities which in all the relations of life were both a guide and adornment, he has left an example which enriches our history, and which may well be held up for imitation.

His early advantages for acquiring a liberal education were well improved, and prepared him to take a front rank in the legal profession which for a long period he maintained, and in which he exemplified the wisdom of a judicious counselor, eminent ability as an advocate, combined with the uniform deportment of a gentleman, and a character for integrity which commanded public confidence and secured for him large and deserved success.

As a statesman he was true to his convictions of right and to what in his judgment the good of his country required. Loyalty to the Constitution was

not with him a mere sentiment or abstraction, but an abiding guide and force throughout his life prolonged for nearly one hundred years.

He was almost if not quite the last Democratic statesman left of the strict construction school, and never swerved from the faith adopted in his youth and illustrated throughout his life.

To have been an observer of the changes and developments of nearly a century gave Mr. Bradbury an experience remarkable and exceptional. To enumerate them would require volumes. Suffice it to say, in the realm of national life at home and abroad, in the departments of art and invention, in manners and customs, in law, legislation and literature, in modes of living and pursuits, in science, religion and ethics, in short, in all that concerns individual and national life, he was an attentive observer, and in our own State and country an active participant. He was a witness to the struggle and excitement attending the separation of the District of Maine from Massachusetts, knew all our governors, judges and congressmen, was familiar with all our legislation, was a contemporaneous observer of all industrial progress and achievement, an active participant in promoting our modern facilities for transportation, and in all things else that have contributed to make Maine the noble State she is and her people prosperous and happy.

In affairs of our nation he was a voter at the election of nearly every president, and witnessed the introduction of a majority of the stars which have

added beauty and prestige to our national flag. In Congress he was a companion of the giants of the nation, listened to the most interesting and exciting debates and speeches in the most crucial period of the republic, and to a considerable extent when in Congress participated in them. Time will not permit reference to particulars, but pardonable it may be, if not pertinent, to recur for a moment to the part he took in endeavoring to avert the threatened catastrophe of a dissolution of the Union.

During the troublous times of the heated anti-slavery excitement and discussions, he felt constrained to exhibit the same spirit exercised by the framers of the Constitution in the formation of the Union, and consequently voted for the compromise measures of 1850 to preserve and perpetuate it. The majority of our people did not concur with him on that momentous occasion, but he never changed his views nor regretted his action. At the expiration of his term of six years in the Senate, from 1847 to 1853, he is said to have declined a re-election. If so, it must have been in obedience to the old doctrine of the Democratic party that it is the duty of a congressman to obey the will of his constituents or resign.

Mr. Bradbury loved his native State, and ceased not his efforts to promote its highest interests in all lines of material, intellectual, social and moral development. His judicious views and wise counsel were often sought, and commanded wide influence among all parties.

As a man and citizen he was eminently intelligent, always faithful, and enjoyed universal respect. As a Christian he was steadfast but of a catholic spirit, his life was pure, his conduct exemplary, and his pleasing manners and lustrous virtues were admirably set off by a genial and lovable disposition which rendered his presence a charm in all circles.

Few men reach their highest ideal, but only an approach thereto. Whether or not Mr. Bradbury attained his, his life was a grand success, and were a Temple of Fame to be erected on his native soil of Maine, his name would justly, and I think confessedly, be found enrolled upon its shining tablet.

MAJOR-GENERAL HIRAM G. BERRY

BY GENERAL CHARLES P. MATTOCKS

Read before the Maine Historical Society February 14, 1901

Maine has to her credit in the Civil War the astounding number of 70,000 enlistments in the army and navy, or more than forty per cent. of its military population. Our ears have recently been filled with the report of losses in battle in the Spanish-American war and the resultant conflict in the Philippine Islands. The total deaths by the bullet in Cuba were 255 men out of a force of 16,000, while the deaths from a similar cause in a single Maine regiment — the 1st Maine Heavy Artillery — in the Civil War was 423, and all those deaths occurred within a period of ten months. In deaths in battles in the Civil War the 1st Maine Cavalry stands at the head of all cavalry; the 1st Maine Heavy Artillery, at the head of all heavy artillery; the 5th Maine Battery, fifth of all light artillery, and the 17th Maine Infantry, twentieth out of two thousand regiments. The charge of the "Gallant Six Hundred" at Balaklava — the result of a military blunder and accomplishing nothing — resulted in a loss of less than forty per cent. in killed and wounded of the men engaged. The highest loss sustained by any single regiment in the Franco-Prussian war was less than fifty per cent., and yet in our Civil War there were sixty-two Union and forty-one

MAJOR-GENERAL HIRAM G. BERRY.

Confederate regiments which lost more than fifty per cent. in single engagements. One Confederate regiment—the 1st Texas—lost eighty-two per cent. in killed and wounded at Antietam, and the 2d North Carolina Battalion had 200 men killed and wounded out of 240 engaged at Gettysburg. The German losses in killed and mortally wounded in the Franco-Prussian war were but little over three per cent. The allied forces in the Crimean war lost four per cent. The Union losses in the Civil War were nearly five per cent. in killed and mortally wounded, and the Confederate losses were twice our own. Wellington and Napoleon lost at Waterloo in killed and wounded only fourteen per cent. of the men engaged, while the losses of Meade and Lee at Gettysburg reached thirty-four per cent., and the losses at Chickamauga exceeded those of Waterloo.

Considering the fact that the armies of the Northern and Southern States participated in the hardest fought battles of the nineteenth century, and the additional fact that Maine is the only State which has placed two regiments of different arms of the service at the head of the list in each of these arms, it seems but fitting that, as we proudly look back upon Maine's record in the great struggle for national life, we should be reminded of the career of a Maine soldier, who did much to render famous in the war the name of his native State. Our state furnished but four major-generals. They were Erasmus D. Keyes, a native of Maine, who served on General Scott's staff during the Mexican War, and at the breaking out of the Civil

War was a colonel in the regular army, finally being made a full major-general; Oliver O. Howard, a graduate of Bowdoin College and West Point, who resigned a professorship at the Military Academy to accept the colonelcy of the 4th Maine Volunteer Infantry, now a retired major-general of the regular army, whose empty sleeve is a lasting reminder of his gallantry; Francis Fessenden, appointed a captain in the regular army at the outbreak of the Rebellion, who is still living and bears honorable wounds; and Hiram G. Berry, of Rockland, the subject of this sketch.

In passing it may not be amiss to remark that the record of the Maine general officers in the Civil War is something of which Maine should be proud. The terrible wounds sustained by some of the Maine general officers, while leading their commands in battle, attest their valor, as also a slight disregard of the rule that the tactical position of a general officer in action is well in rear of his troops, where he can be communicated with from all points of the line of battle.

The critical examination of any subject shows how incorrect prevalent opinions are liable to be. Because Napoleon and Alexander the Great achieved military fame at an early age, we are led to conclude that young men only can be distinguished chieftains in war. At the end of our Civil War this idea possessed nearly every one. We did not stop to think that out of a million of men at one time in the field there were of necessity but few officers who had been long in service, and of course but few who had at that time

reached even middle age. We must remember that in this large army the only officers who had reached the age of forty years or upwards were such as had served in the regular army or had received high appointments from civil life. The officers of the volunteers, like the volunteers themselves, were generally very young men, and from these, with the small percentage of regular officers, were to be selected the men who should afterwards distinguish themselves. Besides this, many young officers of the regular army were selected to command volunteer regiments, and from these positions afterwards reached higher commands. Thus from necessity the greater part of the distinguished officers of the Civil War were young. Later the results of the Franco-Prussian war revealed to the world that mature years were no disqualification in the case of an officer who had spent his life in the practice of his profession. Almost from necessity, or, at least, from the practice of promoting somewhat according to rank, many volunteer general officers, in our Civil War, were appointed with but little natural aptitude for the duties of a soldier and without early training in the profession of arms, and became dismal failures, while, as a rule, the graduates of West Point acquitted themselves creditably when entrusted with high commands. From these facts many concluded that none but West Pointers would ever succeed in high positions in the American armies in times of war. These two conclusions — as to the age of general officers and the advantages of an academic military training — have, since the Spanish-American war

began, received quite a shock. While we can recall the names of but few officers then above the age of forty who were distinguished in the Civil War, we are reminded that, in the Spanish-American war, nearly every distinguished officer had reached the age of fifty-eight before that war began. We find further that many years of service, including the four years of incessant warfare from 1861 to 1865, had given a large number of officers quite as good an education for their duties in active service as the training of West Point. When war was declared with Spain every colonel of infantry in the regular army, every lieutenant-colonel and seventy majors were officers of the Civil War. In the artillery all the colonels, all the lieutenant-colonels and all but four of the majors had seen service in the War of the Rebellion. Almost without exception the general officers of volunteers appointed for the Spanish-American war had commanded troops in our preceding war. So, from necessity, the distinguished officers of the Civil War were young men, while those distinguished in the late war were men of mature years.

General Berry, who died at the age of thirty-eight, was old for the Civil War, but would have been young for the war with Spain.

Another prevalent idea is contradicted in the life of General Berry. His career proves an exception to a very general and ordinarily a very correct rule, namely, that a soldier in poor health can seldom achieve distinction; and yet we find that while he

was making some of his most brilliant movements, and doing acts which would appear to be almost impossible upon the part of a man not in full physical vigor, he was waging a persistent struggle against constant attacks of malaria which he had contracted in his campaigns in front of Richmond early in his service.

While we dwell with pride upon the military career of General Berry we must not forget that he owed a great deal of his success, as he himself often declared, to the fact that his military experience began as the commander of one of the best regiments which Maine sent out — the 4th Regiment of infantry.

Lest I may be misunderstood, I wish here to say that my remarks in regard to a West Point training are made with no intent to belittle the advantages of an education at that great military school. I am not generally a believer in mere civilian soldiers for high command, yet I do believe that some men, like General Berry, have a genius for military command far superior to the training of the schools. No military academy ever made a Napoleon. No law school ever made a Chief Justice Marshall. Providence had something to do with such products.

Experience has convinced me that the instruction and influences of West Point are, in a military point of view, most valuable. I have never served under more impartial and accomplished officers than graduates of West Point, and I have never had under me more loyal and devoted subordinates, including the officers of the 2d U. S. Infantry, which was attached

to one of the brigades commanded by me in the war with Spain. I simply wish to impress and make clear the fact that our success in Cuba and the Philippines has been due in great measure to the circumstance that nearly all the officers in high command received their early training as officers of volunteers during the Civil War and were, after that war, although but few of them were graduates of West Point, appointed in the regular army.

There are to-day in the regular army one lieutenant-general, three major-generals and eight brigadier-generals, in all twelve general officers, of whom but one, General Merritt, is a graduate of West Point. Under our plan of maintaining a small regular army we are obliged to depend mainly upon the volunteers in time of war.

My purpose in reviewing the military career of General Berry is partly to keep fresh the memory of a noble man and gallant soldier, who did much to put Maine high up in the list of patriotic States and, at the same time, to show by what means and through what experiences his success was achieved.

Hiram Gregory Berry was the son of Jeremiah and Frances Gregory Berry, of Rockland, Maine. He was born August 27, 1824. General Berry's ancestors were of hardy New England stock. His grandfather was an officer of the Revolution, while his father did honorable service in the War of 1812. General Berry's education was obtained in the public schools of Rockland. In his school days his favorite study was mathematics. He became an ardent student of

military history, and it was with great reluctance that he, at the request of his fond mother, refused a cadetship at West Point which was offered to him. In later years he always regretted that he had not had the advantages of a military education. Such was his fondness of military affairs that, soon after coming out of school, he enrolled himself as a private in an artillery company composed of young men of Rockland and vicinity, and from that time until his entry into active service in 1861, was at times in the militia service of the State, at one time holding the rank of inspector of a division of the Maine militia with the rank of lieutenant-colonel. In 1854 he, with others, organized the Rockland City Guards, a company which was mustered into the Maine Volunteer Militia as Company B of the 1st Regiment, Second Brigade, Fourth Division.

Young Berry's military aspirations had not interfered with or impaired his ambitions as a man of business. After leaving school he learned the trade of a carpenter and began business as a partner of Elijah Walker, who succeeded him as commander of the 4th Maine Infantry as we shall see later. Young Berry soon became a contractor on his own account, and some of the finest structures in Rockland to-day bear witness to his care and skill as a master mechanic. Later on he was one of the incorporators of the Rockland Steam Manufacturing Company, which, in the fifties, was one of the large and successful concerns of the day. In 1853, he became a director in the Limerock Bank, and in 1857, was

made president of that institution, which position he held at the time he offered his services for the war. In 1845, he was married to Almira M. Brown, of Thomaston. This union was blest with the birth of a daughter, Lucy F. Berry, who afterwards married Albert D. Snow, of New York. This daughter was devotedly attached to her father and, at the time of her death in 1895, she was engaged in the preparation of a sketch of her father's life, which work was later on taken up by Mr. Edward K. Gould, of Rockland, who has given to the public a well-digested and pleasing volume upon the life and services of General Berry, from which work many important facts were gathered for this sketch.

General, or rather at the time Captain, Berry was an ardent Democratic politician, beloved by his party associates and feared but respected by his political opponents. In 1852, he became a member of the Legislature as a representative from Rockland, and in 1856, after three ballots, triumphed over his opponents in a contest for the mayoralty of Rockland. His management of the city's affairs was eminently successful and creditable.

Sumter had fallen and Berry was one of the first men in Maine to offer his services to his country. An ex-mayor,— a bank president,— a man of affairs,— owner and occupant of a beautiful home, with a fond wife and daughter,— with brilliant hopes as a civilian,— this noble man tendered his services and was authorized to recruit a regiment which was afterwards known as the 4th Maine Volunteer Infantry. He was

elected the first colonel of the regiment. His volunteering had great influence upon those who, like himself, had opposed the election of President Lincoln. Like Stephen A. Douglas, he declared "I know no politics while this conflict lasts."

The regiment went into camp at Rockland May 8, 1861, and left for Washington on the 17th of June, and on the 21st of July faced the enemy at the battle of Bull Run. The short period between the regiment's enlistment and its first battle had been so well improved by drill and discipline that its conduct under fire was exceedingly creditable. At this point it may be well to say that, long before the regiment reached the scene of hostilities, military critics had predicted for it and for its commander a brilliant future. The *New York Herald*, in commenting upon the passing of the regiment through New York City, said of it: — "The men were all strong and sturdy specimens of Maine's true nobility, reminding one of the old northern warriors of Gustavus Adolphus." At Washington the bearing of the men was highly complimented by General Heintzelman, who commanded the division to which the regiment was attached.

The battle of Bull Run is not an inspiring topic for a Northern man, yet, amid the disasters of that day, the true worth of many a man was tested. An officer who can fight bravely and well amidst panic and confusion, can be trusted upon a line of battle engaged without panic or confusion, but the converse is not always true. The Army of the Potomac, under

McDowell, had reached the scene of battle where the enemy was found already in position and well posted for defence. The Confederate leader, Beauregard, had in his front the stream called "Bull Run," and to reach this position it was necessary for the Federal troops to ford the stream. McDowell had hoped that, by a front and flank attack, he could force his opponents back upon Manassas. Two attacking columns were formed. The advance was at first successful and the morning's fighting augured well for the success of the Federals. The 4th Maine, until early in the afternoon, had been held in reserve, when suddenly it was ordered forward at the "double quick." Pressing on in the intense heat, the men of the regiment were well nigh exhausted before their active fighting began. At three o'clock they found themselves on the brow of a hill whence they opened fire upon the enemy well sheltered by a growth of wood. Later the regiment was ordered to support a battery supposed to be on a hill, but when this regiment, in connection with the 2d Vermont, reached the hill the battery had disappeared and the 4th met a heavy battery fire. The regiment here sustained a loss of twenty-one killed and mortally wounded. The color bearer being among the killed, Colonel Berry seized his colors and, mounted upon his horse, became a target for bullets, but his bravery prevented panic in the ranks. It should be stated that before Berry's men had arrived the tide of battle had already turned against the Union troops. Colonel Berry, having had his horse shot under him, his clothing pierced by

bullets, calmly, under the orders of his superiors, led his regiment in retreat to conform to the general movements of the Federal troops. It is claimed, and with apparent justice, that the 4th Maine was the last to leave the field. The battle of Bull Run was a Federal disaster, yet it was a most important event in Berry's military career, for it was there that he first attracted the attention of his superiors and displayed a coolness and courage in panic and disaster which mark the military genius. For his good conduct in this engagement he was complimented in general orders by his brigade commander, Colonel Oliver O. Howard, and the gallant General Phil Kearny declared that he had "nearly saved the day," and that he had "a genius for war and a pertinacity in a fight which proved him fit for high command."

Two qualities are absolutely essential to the success of a commander of troops. One is the rare faculty of taking good care of men in camp and thus preserving their health and strength for the day of battle, and the other is coolness and the accompanying power of quick decision in panic and confusion, which are liable to occur among the best of troops. Our marines sustained themselves in Cuba, in the Spanish war, in the sickly season, with a sick list barely above normal, while our volunteers at Chickamauga, in the Spanish war, had a larger percentage of deaths by disease in less than six months, than our volunteers had in their first year's service in the Philippine Islands, results which are accounted for in a great measure by the fact that the Chickamauga

troops were gathered together in comparative idleness, while the Philippine troops were constantly in motion. General Berry at Bull Run, had, by a day's experience in a most trying position in panic and confusion, laid the foundation for the reputation which he afterwards achieved as one of the coolest and bravest of generals in action.

During the remainder of the year 1861, after the battle of Bull Run, Colonel Berry and his regiment had but little real service except upon a few reconnoissances which were generally successful, but the time was well employed by drill and camp duties generally, so that, at the end of the year, the regiment then nine hundred strong was in a condition to meet any demands which might be made upon it. Colonel Berry's conduct and soldierly qualities had not escaped the notice of his superior officers, and on the 20th of March, 1862, he was recommended for and received the appointment of brigadier-general of volunteers. Upon his relinquishing command of his regiment he was presented by the sergeants with an elegant sword; the officers of the regiment, at the same time, presenting him with an elegant service of silver plate, purchased at a cost of a thousand dollars. On the 9th of March the Confederate army began a retreat. Colonel Berry was the first officer to discover this movement, and, ascending 2,000 feet at midnight in a balloon, took an observation, and then descending, captured a few of the retreating Confederates. General Berry was succeeded in command of the 4th Maine by his former business partner, Colonel

Elijah Walker, of Rockland, who gallantly led the regiment until its muster out, and is now living, full of years and of honors.

General Berry's first assignment was that of commander of the Third Brigade, First Division, Third Army Corps. This brigade had already become famous under General Phil Kearny, who lost his life at Chantilly, At the time of General Berry's assignment this brigade was composed of the 2d, 3d and 5th Michigan and the 37th New York Regiments. Directly upon assuming command General Berry began the march toward Yorktown, which, naturally well situated for defence, had been strongly fortified. McClellan had sent forward two strong columns to strike Yorktown, one under Keyes, while the other, under Heintzelman, was to penetrate between Yorktown and Williamsburg. Delays were caused by the bad condition of the roads and the impossibility of getting the artillery promptly forward and thus the plan failed, and the Federal troops were delayed a full month in laying regular siege to Yorktown. Just as our artillery was ready to open fire with heavy guns, and the infantry had prepared to follow up the fire by an assaulting force, the Confederates evacuated under cover of night. An almost bloodless victory was achieved, although at the loss of many men disabled by disease. General Berry, during the month, was busily employed in clearing away trees, building ditches and mounting batteries. Here his home experiences became of great value. Under his immediate supervision two old steam mills, left

nearly destroyed by the enemy, were repaired and furnished the greater part of the lumber used by the Federals in their operations.

Upon the evacuation of Yorktown the pursuit of the Confederates began and soon resulted in the battle of Williamsburg, which, for a one day's affair, was a most bloody battle. Sumner was in command of the Federals, and ordered Hooker towards Fort Magruder, an earth-work flanked on each side by numerous redoubts extending on the one side to the York and on the other to the James river. Early in the day the fort was silenced by the Federal artillery. Longstreet commanded the Confederates and at once opposed Hooker with overpowering numbers. For five hours the latter had manfully faced heavy odds, his ammunition was disappearing and his men were rapidly becoming exhausted. Relief must soon arrive or defeat for the Federals was inevitable. Berry, far in the rear, had heard the firing, but with the true instinct of a soldier, was pressing forward to the front where the guns spoke most loudly. Disregarding orders to keep a certain road, which was already blocked by troops in his front but not yet engaged, he took another route and then, finding that he was going too far to one side, he threw away knapsacks and cumbersome articles, and struck squarely into the forest with his Maine woodsmen. He soon emerged to find himself face to face with an exultant foe. Many of Hooker's men had not a round of ammunition left. Hooker was wild at seeing his old friend advance and the grizzled Heintzelman wept with joy

as Berry's men formed line at the double quick and pressed the enemy back, capturing a large number of prisoners and rifle pits and actually recapturing several pieces of artillery. Temporary success was not enough for the men of Berry's brigade. They pressed on, and, making charge after charge, were soon followed by other troops, and before nightfall the enemy was in full retreat. The timely arrival of General Berry and his subsequent brilliant handling of his troops not only made his own reputation, but saved that of Hooker, and cemented a friendship between these two generals which was not severed until a year later when Hooker wept over the dead body of his gallant comrade upon the bloody field of Chancellorsville. In the battle of Williamsburg, Brigadier-General Jameson, of Maine, with his brigade, contributed largely to the success of the Federal army. The severity of the fighting at this battle can be understood when we learn that Berry lost in killed and wounded two hundred and ninety-nine officers and men, or twenty-five per cent. of the whole number engaged. For his conduct in this engagement General Berry was highly commended by Generals Heintzelman and Kearny. After the battle General Berry received the personal thanks of General McClellan.

The bad condition of the roads prevented a rapid pursuit of the enemy after the battle of Williamsburg. Late in May the Army of the Potomac had pushed forward to within ten miles of Richmond — in fact to a point nearer than that with a part of the line,— but the Confederates had already concentrated in large

force. The Federal army at this time numbered more than 125,000 men. Just as the Federals were fortifying in front of "Seven Pines," but before they had made much progress, a desperate attack was made by the enemy on the Federal right. Berry's brigade, as a part of Kearny's division, was in front of Savage's Station; Couch's Federal division was pressed back by a fierce attack of the enemy, as was also Casey with his division, which had been placed in front of Couch. Berry, six miles in the rear, was ordered forward to support and reinforce the wavering lines, and, pushing on through disordered and broken troops, not only checked the advance of the enemy but actually recaptured the ground upon which Casey had begun his fight. In this battle, known as the battle of Fair Oaks, General Berry's conduct was the same as at Williamsburg and Bull Run. In all these engagements he remained mounted and was a conspicuous target for the sharpshooters of the enemy, but escaped as if by a miracle. For his gallantry in this last affair General Berry was complimented in the official reports of Generals McClellan, Heintzelman, Kearny and Hooker. Berry's loss in this engagement was 463 out of 2,500 men; at this time Berry's brigade had by disease and the bullet been reduced from 3,400 to 1,500 effective men.

Soon after the affair at Fair Oaks came on the series of engagements known as the "Seven Days Battles," in which Berry's brigade participated but with small loss. After the battle of Gaines' Mill, in which General Berry's brigade did not take part, the retreat of

the Army of the Potomac began, and General Berry's brigade was repeatedly called upon to protect the rear as far as the battlefield of Malvern Hill. At one time he actually saved Thompson's battery from capture. At the battle of Malvern Hill, Berry's brigade was held in reserve, but even in this position lost fifty men. In the so-called "Seven Days Battles" this brigade, which had been reinforced by the 1st New York Regiment with a thousand men, lost in killed and wounded four hundred and twenty-nine officers and men.

Arrived at Harrison's Landing as a new base, General Berry found his health very much impaired. Incessant labor, anxiety and want of sleep, and a severe attack of malaria contracted in the swamps of the Chickahominy, had done their work and the gallant soldier reluctantly consented, for the first time, to take a leave of absence. He had received a slight wound in the arm from a piece of shell and had been rendered lame by a fall when his horse was shot under him. Out of 4,400 men which he had had under his command, he had at this time less than 1,500,— such had been the ravages of disease and the battlefield. At about this time the General wrote home and, in speaking of the losses he had sustained in his command and the great dangers he had escaped, said, "I am spared, for what purpose God only knows. My cap has been twice shot from my head; my clothes are riddled with bullets, still I am here. I shall never be killed by cannon or musket shot, I sincerely think, as I face the deadliest fire for hours where all have

been hit but myself. Keep the dear old home in good order. I hope to visit it soon." In less than a year General Berry had fallen a victim to the unerring aim of a Confederate sharpshooter, and was borne by loving hands from that dear old home to his final resting place.

A temporary rest from active duty did not bring the desired result and early in August, 1862, General Berry started for his home in Rockland, where an enthusiastic reception awaited him. A month in Maine had, if not the desired effect of restoring General Berry fully to health and strength, much to do with improving his physical condition, so much so that he reported for duty early in September. During his absence he had lost an opportunity to take part in the second Bull Run and the Federal success at Antietam, so that, upon his return, he was eager for new opportunities for distinction. Berry's command remained inactive until November 21, when it took position in front of Fredericksburg with the other troops of the corps to which it was attached, and here occurred another delay, at that time so common with the Army of the Potomac, this time under Burnside who had relieved McClellan. General Sumner begged permission to lead his corps across the river before the main body of the Confederate army should arrive, but this request was refused by Burnside, so that, when the order to advance was given, it was found that the heights in rear of the city had been occupied by the enemy. Under what difficulties and with what gallantry the pontoons were finally placed is a matter

of history. Berry's brigade crossed with the other troops and was assigned position in the left subdivision of the army. The 17th Maine had been assigned to Berry's brigade and at Fredericksburg received its baptism of fire. Drawn up in line of battle in an open field and exposed to severe fire from the enemy's batteries the brigade was ordered forward at the double quick and finally took position under the protection of a ridge, but still exposed to a severe shelling, having already received a goodly fire from the enemy's musketry. At this point General Berry rode along and shouted, "Steady, 17th Maine. The State of Maine is looking at you to-day." Of this touching scene the author was a witness. This regiment never forgot, during its three years of arduous service, that the State of Maine was still looking at it, as its long lists of killed and wounded attest. An assault of the enemy upon Berry's line was promptly repulsed, and, the next day, during a cessation of the firing under flag of truce, General A. P. Hill, the Confederate commander, sent his compliments to General Berry and requested an aid to say to him that his was "the best behaved brigade he ever saw under fire." The retreat across the Rappahannock is remembered with sorrow by those who participated in it, but none who served under the gallant Berry on that occasion could see anything in his conduct which they did not admire. Again the brigade of Berry had a considerable list of casualties, the loss being one hundred and sixty-five in killed, wounded and missing. The 4th Maine lost heavily, and the next morning after the

battle General Berry, resting his head upon the shoulder of the gallant Colonel Walker, wept bitter tears for the killed and wounded of his old regiment. Brave as a lion in battle, General Berry had the tenderness of a child. It was always thus,

> "For the tenderest are the bravest,
> The loving are the daring."

It seemed but fitting that the sterling qualities and brave conduct of this officer should receive recognition, and he was in March, 1863, made a major-general of volunteers, to take rank from November 29, 1962, having been heartily recommended by his superior officers, foremost among whom was General Hooker, to whose aid this gallant Maine soldier had come on many a trying occasion. In speaking of General Berry in his recommendation for his promotion, General Hooker said, "I regard him as an accomplished officer. He is practical, intelligent, enterprising, intrepid and devoted. In my own mind I have classed him among the promising officers who have grown up during the Rebellion, and from whom I have learned to expect great deeds before it is ended. Of this class I know no superior to General Berry, and but few, if any, equals."

General Berry was honored by being assigned to the command of the famous divison formerly commanded by General Hooker. In the spring of 1863 General Berry was obliged to renew his struggle against ill health, but his spirit never wavered, and finally, but a few weeks before the battle of Chancel-

lorsville, he began to be himself again. In fact the prospect of immediate fighting seemed to revive him. Under date of April 24, only a few days before his untimely death, he wrote home, "I have a fine prospect of good health. I shall go into the field prepared to live more comfortably than last year; besides I have more help and no more work, if as much."

The battle of Chancellorsville has gone down into history and, with it, bitter antagonisms and criticisms. Brilliantly conceived and boldly begun on the part of Hooker, who was in command, the causes of Hooker's defeat are recorded as it were in a closed book. Disastrous as was the battle, no one who then served under Sickles or Berry can fail to remember with pride the cool and daring conduct and skilful manœuvering of these two volunteer generals. Both armies were in fine condition, the Federals greatly outnumbering the Confederates, the latter, however, having decidedly the advantage in position, with a river in their front, which the Federals were obliged to cross to give battle. Berry's division formed a part of the Third Corps, which was commanded by Sickles. This corps was in reserve. The Eleventh Corps under Howard was on the right with no natural support. Stonewall Jackson was not slow to discover this point of weakness, nor was he long in making one of his characteristic assaults upon this flank. As the lines of the Eleventh Corps were broken and the troops came rushing back pell-mell, Hooker rode forward and, meeting Berry, ordered him to stem the tide of disaster by forming line to receive the enemy. Berry at once

formed in line with the greater part of his division, putting a portion of two brigades in the rear as a support, and, at the same time, placing two batteries in position in the rear, from which point they could fire over the heads of the infantry. Scouts were sent out and reported the enemy coming over in full force. The condition was critical. The proper disposition of his forces was now to General Berry the turning point in the battle so far as this part of the line was concerned. Berry's new line was formed in the early evening and remained in position to receive the attack of the enemy, which was made at sunset, and continued until 9.30 at night, and in fact later. Next morning the Confederate attack was renewed. During a temporary lull in the firing, General Berry dismounted and crossed the plank road, upon each side of which his line was deployed, at right angles with the road, to communicate with General Mott, one of his brigade commanders. As General Berry recrossed the road to rejoin his staff he was struck by a ball from the rifle of a Confederate sharpshooter, who was evidently watching his movements. The brave general fell exclaiming, "My wife and child," and, in the arms of one of his devoted staff officers, breathed his last. Thus, at the early age of thirty-eight, this gallant son of Maine fell with his face to the foe, a willing sacrifice to his own ideas of patriotism and devotion to a cause for which he had offered his life. General Hooker, riding up, saw his old friend and companion-in-arms lying prostrate, and at once dismounted, and, leaning over the form of the dead general,

MAJOR-GENERAL BERRY'S MONUMENT.

exclaimed, "My God, Berry, why was this to happen? Why was the man on whom I relied so much to be taken away in this manner?" Berry's life had not been given up in vain, for he had prevented what would have been greater disaster even than that which followed, and had set an example of skill, courage and devotion which bore fruits in the subsequent achievements of the famous "Hooker Division."

The ceremonies at Rockland, at General Berry's funeral, were sad and impressive. They were attended by the highest officials of the State, but saddest of all the mourners were the life-time friends of the dead hero, who had loved and respected him as one of the foremost citizens of the city of his birth.

I quote the following from the requiem written by Z. Pope Vose, editor of the *Rockland Gazette*:

"Bravely, his ranks beside
He stemmed the battle's tide:
Nobly he fought and well,
But in the strife he fell:
Stricken, he fell and died.

City that gave him, weep—
Claiming this mournful trust,
Take back his lifeless dust,
Safely to guard and keep."

Had General Berry's life been longer spared it is difficult to say what further honors might have awaited him. Hooker declared that he would have made him a corps commander, and Stanton, Secretary of War, had declared that he was destined to have command of the Army of the Potomac. The massive marble

statue now standing in the cemetery at Rockland bears witness to the great skill of a Maine sculptor, Franklin Simmons, and will in years to come remind the visitors of the gallant record of one of the noblest sacrifices made by the State of Maine in the Civil War.

PRESENTATION OF RUFUS McINTIRE'S SWORD

BY PHILIP W. McINTYRE

Read before the Maine Historical Society February 14, 1901

This sword was worn by Rufus McIntire, captain in the 3d United States Artillery during the War of 1812 — a regiment renowned in the service and notable to this day on the muster rolls of the regular army.

In the War of 1812, the regiment served on the New York frontier under General Alexander McComb, participating in the Plattsburg campaign. Captain McIntire's company, numbering over a hundred men, was recruited from York County, mostly from the western towns. On the muster rolls copied by the late Z. K. Harmon, to whose indefatigable industry Maine is so much indebted for preservation of the records of her soldiery, can be found the names of the men composing the company.

With the sword is McIntire's letter to his mother, Rhoda Allen McIntire, written just before he went to the wars. It is a letter that an affectionate son would naturally write to the loving mother in whose bosom he had been nurtured ; and only of public interest as

reflecting the feelings of the youth who girded sword on thigh or carried musket on shoulder in those days.

This is the letter:

CHARLESTOWN, April 11, 1813.

My dear mother:

Being anxious to have my conduct meet your approval, I will endeavor to explain my motives for entering the army and for leaving home without informing you that I had orders to join the western army. I did not engage in this service by the advice or contrivance or at the instigation of anybody as you suspect; nor did I engage without due consideration or because I could not get a living by my profession. In fact I know I sacrifice my time, my earnings and my ease, and expose my morals to be corrupted by the licentiousness of a camp, my health to be impaired by fatiguing marches and the chilling cold of a more northern climate, and my life to danger. But I am sensible that I was not born for myself alone or for my particular connexions; and being in a state of civil society I am under other obligations than those of nature and have other duties to perform than those which contribute to my particular benefit. Among the most important of these duties is that of supporting the government that protects me and to which I owe allegiance. It is this duty which at this time impels me to devote my personal services to the defence of the rights of my country. I am satisfied that the essential rights of my country have been trampled on and are at stake and that the war in consequence thereof is a righteous and necessary war, and that it ought to be spiritedly supported by every man in America. I have nothing to offer but my personal services. To them my country is entitled and be the consequences what they may, these I cannot conscientiously withhold. When once engaged I was determined to make it as little distressing as possible to myself and connections. For this reason I was willing to save myself and you the pain of a formal parting under the doubtful circumstances of the time and uncertainty of my return. Perhaps I did wrong to deceive you — forgive me, for the motive was good. I shall march hence in a few days for Canada, and may the God of Armies grant that this war be short and glorious for our arms, and that you and your children may never be ashamed to own that you and they have a son and brother.

RUFUS MCINTIRE.

A few words, explanatory of this letter, are added. Captain McIntire was the descendant of a Jacobite

refugee — sent over seas by Cromwell after the battle of Dunbar — who settled in York. It is matter of history that the sons of these exiled Highlanders who swore by the Stuart king did by some strange confusion of thought transfer their allegiance to the British crown, despite the "Guelph usurpation"—as witness the sons of kilted men in North Carolina. The tradition of loyalty to the crown survived with the women long after it died out with the men. So we may fancy that Rhoda McIntire did not relish her son's going to war with the British; for whom in her breast was a lingering love.

Sarah Orne Jewett in her "Tory Lover" touches upon topics like these with rare delicacy, and with consummate fidelity to truth.

At the time the letter submitted was written, Rufus McIntire was twenty-three years old; and four years out of Dartmouth College. As he was a Phi Beta Kappa it is safe to assume that his rank in scholarship was high. On graduation he purposed to pursue the profession of law, but interrupted his studies at the outbreak of hostilities,— subsequently resuming them with John Holmes.

Upon the after history of Rufus McIntire it is not the province of this paper to dwell—long and honorable as it was. At the time of his death in 1866, he had long been an "old public functionary,"—to quote James Buchanan's memorable phrase. He served the town of Parsonsfield where he lived for more than half a century, as its first representative in the Maine Legislature. He served the First District of Maine

then comprising the County of York, for four terms in Congress. He was land agent under Governor Fairfield, during the Madawaska trouble. Under Polk he was United States marshal; and under Pierce, surveyor of the port of Falmouth and Portland. The duties of these offices, appointive or elective, he discharged with dignity and with efficiency.

So much, in mere justice, may be said of a man who grew gray-haired in the service of nation and state; and, dying, left a sweet memory.

THE CAPTURE OF THE "CALEB CUSHING"

BY HON. CLARENCE HALE

Read before the Maine Historical Society March 14, 1901

I am going to tell the story of the capture and destruction of the revenue cutter, Caleb Cushing, by the Confederates in the harbor of Portland, Maine, in June, 1863. It is a story of audacity and adventure that is not surpassed in dramatic interest, I think, by any event which occurred outside the distinctive field of warfare, during the War of the Rebellion. I had my attention called to it, and obtained all the papers bearing upon it, during the sitting of the Court of Alabama Claims at Washington, in a case in which I was counsel and in which the capture of this vessel was involved. My imagination was so impressed by the incident that it seems to me worth while to bring it before a new generation, forty years after it happened; especially as in that great year of battles it escaped the nation's notice, and has now almost escaped the nation's memory.

On the morning of June 26, 1863, two fishermen of Falmouth, Albert T. Bibber and Elbridge Titcomb, were in their fishing sloop, The Village, about eight miles to the southeast of Damariscove Island, off the coast of Maine. At about ten o'clock on that morning they were out in their dory, some distance from

their little sloop, hauling in their trawls, when they saw what they thought to be a fishing schooner running down upon them, and were hailed "Boat ahoy! Come alongside." The schooner which hailed them then hove to, put out a boat with five men in it and took the two fishmermen in custody, telling them they were prisoners of a Confederate privateer. They were taken aboard a fishing schooner of about ninety tons called the Archer, on which they found about eight or nine men, all roughly dressed in fishermen's clothes, except the captain who wore a blue frock coat and blue trousers. Bibber, one of the captured men, in a deposition given afterwards, says that there was nothing about the schooner which indicated that it was a war vessel, and that he thought it was a craft with a merry crew of drunken fishermen on a frolic; he attached no importance to the fact that he had been told in the dory, as he thought playfully, that he was the prize of a Confederate privateer.

The captain soon drew from the fishermen all they knew about the war news, the fisheries, the steamboats plying in and out of Portland, the cutter and gunboats building in the harbor, and said that he wanted them to take the vessel in and out of Portland. The schooner came to anchor after sunset near Pomeroy's Rock, off Fish Point, in Portland Harbor, Bibber and his companion remaining on deck until about nine o'clock, when they noticed that ten or twelve bags of clothing were passed out of the cabin, and that the men began to appear with belts, pistols and cutlasses; then they saw that they were in the hands

of an armed crew of the Confederate navy. They were then ordered below and fastened into the cabin, where one of the officers came and said to them, "Men, don't attempt to come up on deck to-night; make no noise or resistance and it will be all the better for you."

Soon they heard a sound of hoisting and stirring overhead, which continued until after midnight, when they were ordered on deck. They found the schooner in the position where she had anchored the night before, but were put into their own dory and rowed alongside the revenue cutter Caleb Cushing, which they found with all sails set and with two boats towing her.

Leaving the narrative of the captured fishermen, let us see how the Confederates came to this coast and precisely what had happened.

Up to May, 1863, Lieutenant C. W. Read of the Confederate navy had been a second lieutenant of the cruiser Florida under the command of the celebrated Maffit. On May 6th, Maffit captured the brig Clarence and put Read aboard of her with a crew of twenty men, one howitzer and a full complement of small arms. Lieutenant Read soon proceeded to the coast of New England, taking and burning many vessels. He reports to his navy department that from June 12 to June 24 he captured and burned or bonded nineteen sail. On the 12th of June, about seventy-five miles from the shore of Washington County a little eastward of Mount Desert Rock, he captured the bark Tacony, a larger and better vessel than the Clarence.

He accordingly burned the brig, made a cruiser of the bark and in her continued his cruising. June 25 he captured the fishing schooner Archer, at Southport, Maine, and destroyed the Tacony, the schooner being a staunch craft and better adapted to his purposes. What those purposes were appears clearly from a letter of Maffit to Read of May 6, in which he tells him, "This is the time when our best exertions should be made to harm the common enemy and confuse them with attacks from all unexpected quarters. Act for the best, and God speed you. If success attends the effort you will deserve the fullest consideration of the department."

It appears from the record of the Confederate navy that Captain Read was ordered first to go into defenseless cities like Baltimore, burn shipping, destroy vessels which were building and do all the work of this kind he could. Acting under this remarkable charter, Captain Read soon discovered that his clearest field was the New England coast, and here he set about his work.

After capturing the Archer he continued his course to the westward towards Portland. Later he thus reports to the Confederate naval department:

"I planned to destroy the Tacony and with the schooner Archer to proceed along the coast with a view of burning the shipping in some exposed harbor or to cutting out a steamer. Accordingly on the 25th of June we set fire to the Tacony and with the Archer stood in for the coast. Near Portland I picked up two fishermen, who taking us for a pleasure party willingly consented to pilot us into Portland. From the fishermen I learned that the revenue cutter Caleb Cushing was in the harbor of Portland, and that the passenger steamer to New York, a staunch, swift propeller, would remain in Portland during the night. I

at once determined to enter the harbor and at night to quietly seize the cutter and the steamer."

He thus proceeds with his report:

"At sunset we entered the harbor and anchored in full view of the shipping. I explained to my officers what I expected to do after dark. My engineer, Mr. Brown, expressed his doubts as to his ability to start the engines of the steamer proposed to be captured, without the assistance of another engineer. I felt confident that Mr. Brown would do his utmost to perform the duty required of him, but as the nights were very short it was evident that if he failed to get the steamer under way after waiting to get up steam, we could not get clear of the forts before we were discovered. As the wind was blowing moderately out of the harbor I then decided to capture the cutter, and after getting from under the forts, to return and fire the shipping. At 1.30 we boarded the cutter Caleb Cushing and captured her without noise or resistance. As the cable could not be slipped it was two o'clock before we could get under way. The wind was now very light the tide was running in and, before we could get from under the guns of the fort, day dawned."

Chance aided the Confederates in accomplishing their night's work. The commander of the cutter had just died. Many of the crew were ashore in Portland for the night, leaving Lieutenant Davenport upon the cutter with a crew of about twenty men. Read and his crew seized these men and imprisoned them in the hold. When day dawned, Read, having liberated the captured fishermen, compelled them to pilot the vessel out by the way of Hussey's Sound. Let Titcomb, one of our two fishermen, now describe his part of the scene:

"There was no wind — we kept on until we got abreast the passage between Cow Island and Hog Island. I was then asked if the cutter would not go through that passage. I told the commander, Read, that it was a very bad passage. He said he should go through and told the man at the wheel to keep her off. She was kept off and taken through that passage. No questions were asked me about the course and we

went through it very quick, as a breeze sprung up just as we entered the passage. I gave no directions as to the course and was not asked to give any. After getting through there the cutter was in an open sea-way and kept right out to sea. Before we got to the Green Islands I asked the captain if he would let me go. He said that he should not. I saw two men that looked like the cutter's crew with irons on. Besides these I saw no other persons aboard except those I had seen the day previous in the schooner. After getting three miles beyond the Green Islands I asked again to be let go. He told me No, he would stand off a little further, and then would heave to and wait for the schooner, the Archer, to come up. When out past Cod Ledge we saw steamers coming and when they were within about two miles I asked again to be let go. He told me he did not care, I might take either of the little boats alongside. I got into the boat as soon as the word was given, and rowed off. One of the men said I had better row a little quartering as they should soon fire. I finally reached the steamer Forest City and was taken aboard and related all the circumstances to the officers."

At half past seven in the morning the cutter's capture was discovered from the Observatory. The news soon spread over the town. The *Argus* account after the day of the event gives the scene very vividly:

"The city was thrown into a state of excitement bordering on consternation. The first rumors were that the Caleb Cushing had left in the night without orders, with only one officer aboard, and it was not until later that the report gained circulation that she had been captured by a crew from the Florida or Tacony. Our citizens, at first, thought that the lieutenant on board had betrayed his trust and that he had run away with the cutter with the intention of joining the Tacony."

Fortunately for the city, two men of force and character were in high official station: Captain Jacob McLellan was mayor, Jedediah Jewett was collector of the port. The steamer Forest City was soon fitted up with an armament and with a detachment of the 17th U. S. Infantry from Fort Preble under the command of Lieutenant Merriman, who had just arrived

that morning to take command of the cutter, her late captain having died a few days before. The troops were under the command of Captain Andrews, in charge at Fort Preble.

Collector Jewett thus reported to the Secretary of the Treasury:

"I was advised at my house at ten minutes past eight A. M., that the cutter had gone to sea, and regret that my suspicions, as I now think unjustly, fell upon First Lieutenant Davenport as the party who had run off with her. I at once came to the conclusion that this was an exigency when I ought not to wait for orders from you but assume the responsibility of her recapture for the Government.

"I at once sent messengers to Fort Preble for guns and men of the 17th Regulars to be ready for a steamer that I would have at the wharf; also sent a messenger to Camp Lincoln to Colonel Mason of the 7th Maine Volunteers for men. To both of these requests the responses were promptly made and in less than one hour Colonel Mason had all of the men at Camp Lincoln, including his band, in the city and on board of steamers.

"I at once chartered the Forest City, a 700 ton side wheel steamer of the Boston line and also the small steamer Casco as a transport to take the guns and men from Fort Preble wharf, the steamer Forest City drawing too much water to lie at it. I also chartered a steam tug propeller and sent her to the upper bridge in our harbor to take on board the men of the 7th, and as evidence of the prompt response to my calls I would state that in fifty minutes after I had learned of the capture of the cutter three steamers had left the wharf to overhaul her.

"Finding that at the suggestion of the mayor, the steamer Chesapeake, propeller of the New York line, was getting up steam, I put Colonel Mason and the largest portion of his command on board of her, she having obtained two brass six-pounders from the State Arsenal. She also had about fifty volunteers of all ages and colors who armed themselves and repaired on board."

He then further describes the sailing of the steamers, the overhauling of the cutter and the capture of the men.

The steamer Chesapeake, as indicated by the report of Collector Jewett, was chartered by the Mayor and

put in fighting trim with bales of cotton to protect her sides and engines. In addition to the citizen volunteers "of all ages and colors," as described by the Collector, there were twenty-seven men from the 7th Maine Regiment on board.

While the preparations on the Chesapeake were being made, the agent of the steamer, realizing the doubtful position he was in with his owners, made some objection to proceeding, saying that if he took the responsibility to withdraw this steamer from her route and put her into the public service, he might be severely disciplined and ruined, in case of loss of the steamer. The Mayor, Captain McLellan, treated this objection as purely technical and dilatory, and promptly pledged the city's property and all his own private estate to stand between the agent and all possible harm. Just as the steamer sailed, the Captain further asked the Mayor for his instructions. I have heard some of Captain McLellan's old neighbors describe his reply, delivered in his sharp staccato tones: "Catch the damned scoundrels and hang every one of them."

Now read the *Argus* account, the crisp narrative of an eye witness:

THE CHASE.

"When the cutter was first discovered, she was bearing S. S. E. from Portland Light. The Forest City was in hot pursuit followed by the tug Tiger. Another steamer was to be seen in the dim distance, supposed from Bath. We were then about six miles from Portland Light, and seven miles from the cutter. A consultation was held as to what course to pursue and it was determined to sail up and speak the cutter, and see what were her intentions. All doubt as to that point was at once dispelled, for before the consultation is ended, she rounds

to, a flash is seen, and the sound of the first gun comes booming over the water. 'That means business,' says Captain Leighton, who with Colonel Mason and others were watching her from the top of the pilot house. 'Hurra,' says a private of the 7th Maine who had evidently listened to the music before. 'Steer for her,' says Captain Leighton to the pilot, 'and we'll run her down or go to the bottom.'

EXCHANGE OF SHOTS.

"It was now evident that there was to be some lively work; but every man was resolved to do his duty. The brass piece was shotted and those on board assigned their positions. A few seconds and another shot comes from the cutter. Steadily we steam on, when bang comes a third shot. At this the Forest City laid to and appeared to be waiting for us to come up. Another gun from the cutter, as we kept on, and this time the shot is intended for us. It is a richochet shot, and the ball comes skipping along the water directly towards us, but falls short, and the men indulge in a laugh, at the same time they admit that the shot is a good one. This was followed by another with no better results, when the order was given to try our larboard gun.

"An interval of silence, one of the most intense interest, when bang she went, and up jumped one of our gunners upon the carriage, slapping his hands with delight. The gun was fired merely as an experiment. It was a splendid line shot, however, and had we been nearer would have been likely to have done mischief. The Forest City now steamed up and appeared to be wearing around to get astern of the cutter, but the movement, it seemed, was only to get in position for us to hail her. We come up alongside the Forest City, the Chesapeake slackens her speed — we are now within range, and a well-directed shot from the cutter might result disastrously to both vessels. Why do they not fire?

"'Ship ahoy,' says Captain Leighton, and the answer comes back from the Forest City. 'What course do you intend to take?'

"'We have not decided.'

"'Can't you attack one side, while we attack the other?'

"'We think the best course is to run her down, as she has superior armament.'

"'*Will you take the lead?*'

"'No; you had better go ahead; we are not prepared.'

"'All right,' says Captain Leighton, 'we shall steer straight for her and run into her any way we can, and you can take what's left!'

WORK FOR THE CHESAPEAKE.

"Colonel Mason then turned to the men and said, 'Now, boys, you have got to fight; let every man keep cool and await orders, and we

will take the cutter.' Three cheers, loud, spontaneous, is the answer, and three more echo back from the deck of the Forest City. 'Stand by your flag,' cried our men to those of the Forest City and three more cheers sounded across the water, wafted on the breeze to the ears of rebels on board the cutter telling them plainer than words of the patriotism and determination of those on board our vessels. The order is given to put on all steam, and run her down by striking her amidships, or else run alongside and board.

"The cutter was about two miles distant. She displayed no colors. The brass field piece on her bow gleamed like gold in the sunlight, and her deck appeared covered with armed men. Her course was to the eastward. As we neared her it was noticed that a boat was being lowered at her side ; which, in another moment, pushed off to meet us. Here the cutter again fired at us, but the ball fell short. The eyes of our men are now directed to the small boat which is seen full of men and rowing towards us.

PREPARATION TO 'TAKE BOARDERS.'

"It is the opinion that her intention is to board us, and preparations are accordingly made to 'welcome them with bloody hands to hospitable graves.' The voice of Colonel Mason is heard, and 'stand ready, men,' is the watchword. The boat nears us — she is filled — bang and the grape come whistling forward, aft and over us, but no one is hit,— the smoke clears up, two more boats put off from the cutter filled with men,— 'they intend to board us, stand ready, men,— no, they steer away from us,— see smoke curls up from the cutter amidships,— they have set her on fire,— sink the devils !' 'Hold,' says Captain Leighton, who sees a white handkerchief elevated in the small boat. 'The first man that fires shall be shot ; I am not a pirate to fire on a flag of truce.' The boat is alongside, Lieutenant Davenport is among them, and he is violently agitated as we help pull him on board. He turns to us and says, 'It is hard, after a man has been taken prisoner, ironed, and his life threatened by pirates, to be shot by his own friends !' The men, one by one, nineteen in all, come up the side, some of them with the irons still on their wrists. Colonel Mason orders them below, and we move on towards the cutter which is now in flames aft. 'Let's go and save her.' 'No,' say the men just taken on board. 'They have made preparations to blow her up.'

"The Chesapeake stands off and lies by within a mile. The Forest City has taken on board the rebels in the small boats and she comes toward us. There were grave apprehensions of danger of the explosion of the cutter's magazine ; and after a consultation finding that it

was impossible to save her, it was determined to wait a while and see her blow up. 'Give us a small boat, Captain, and some buckets and we will board and save her,' says one. 'You must not go — she has four hundred pounds of powder on board and the experiment is hazardous — foolhardy.' But one more eager, more daring, nothing daunted, gets permission of Mr. Fox, agent of the Chesapeake, for the use of a boat and it is at once lowered. Mr. Haile was first in the boat, followed by Captain Warren of the 7th, and Messrs. Fickett and Harris and two others, whose names we did not learn, The Chesapeake put on steam and ran within half a mile of the cutter, but instead of going directly toward her, stood off and sailed toward the city. The man in the small boat called for volunteers, for buckets — in vain; none were offered. After sailing about three miles she turned and again went in the direction of the cutter, which had now been burning about an hour. The Forest City was lying to within three-quarters of a mile of her and the tug still further off. The Chesapeake approached within half a mile and stopped.

THE FIRE.

"The cutter was on fire, fore and aft. Several schooners and fishing smacks were lying to at different distances, and a number of small boats were rowing around but none dared approach near the vessel. The men in the small boat of the Chesapeake saw the boat tied to the stern of the cutter and determined to save her. Word was given to those on board the Chesapeake to cast us off, but they refused. Mr. Harris and the two men left the small boat and went on board the Chesapeake, leaving only Captain Warren, Mr. Fickett and Mr. Haile. We then left the Chesapeake and started directly for the cutter. The distance is about half a mile, and not one-quarter of it is made before we are called upon to return, from the deck of the vessel. 'You need not order us for we shall not come until we bring the cutter's boat,' was the only reply, and on we go. 'Pull for her, one moment more and we will save her.' We come alongside the cutter, the flames extending from stem to stern, mounting the masts and spreading to the sails; one jumps into the small boat now two-thirds full of water,— he has no knife to cut her loose,— it seems an age to wait while the fire is raging and crackling over us, and the cinders and rigging are falling around us,— and the magazines. We cut her loose and are off, and pulling away — get half the distance between the cutter and the Chesapeake when a terrific explosion shakes the very heavens. The smoke rolls up in vast columns, fragments of shells, masts and spars and blackened timbers are seen hundreds of feet in the air, falling all around, the cutter begins to sink, her stem disappears, the guns fall off the deck into the fathomless deep,

she careens, she gives one lurch — and the Caleb Cushing sinks beneath the waves. The only remaining mast disappears, but soon rises some fifteen or twenty feet above the water, then sinks to rise no more.

"It was a quarter past two o'clock when the magazine exploded. The sight was one grand in the extreme. As soon as her fate was decided, a lot of boats visited the scene and commenced picking up the debris of the wreck.

"The Forest City then stood for the town, and saw a suspicious schooner which one of the boat's crew she had captured said was a Southport fisherman, captured by the privateer Florida and which had been used by the rebels to assist in cutting out the Caleb Cushing. Chase was given, and on her being captured there were found several suspicious characters on board.

"The Chesapeake, after waiting a while and finding that the Forest City needed no assistance, then returned in company with her, arriving at this city at four o'clock.

"As we passed the forts in the harbor guns were fired, bells rung and other lively demonstrations were made. The wharves and all available points were alive with people, who cheered again and again, and they were responded to from the decks of the Chesapeake by cheers and the firing of guns."

An interesting statement of Lieutenant Davenport has been found, the substance of which was in the daily papers. He said that between twelve and one o'clock Saturday evening, the cutter was visited by men dressed in the garb of fishermen. He was lying in his berth at the time, when, hearing an unusual noise over his head, he got up and went upon deck when he was seized by five of the men, who said he was their prisoner, and that they belonged to the Confederate navy. Pistols were pointed at his head by four or five of the crew. Lieutenant Davenport, seeing it was useless to offer any resistance, gave himself up and was ironed. He was told that no harm would befall any of the crew if they surrendered peaceably, but if they did not the orders were

to blow every man's brains out who showed any fight. The crew was then arrested and every man ironed and placed in the berth deck. Then the cutter proceeded down the harbor.

At breakfast about eight o'clock, Read said to Davenport, "I'm sorry, Lieutenant, to meet you under these circumstances, but this is one of the fortunes of war. You being a Southern man ought to be ashamed of yourself." Lieutenant Davenport in reply to this, said, "You have acted humanely, sir, and in case we are taken I will represent your case favorably to the United States authorities." Captain Read also made some further conversation with the Lieutenant, as did the second Confederate officer in command — Mr. Eugene H. Brown.

Lieutenant Davenport says that when the steamers sent in pursuit hove in sight, his men refused to tell the rebels where the ammunition was, nor could they find but a small quantity of the four hundred pounds of powder that was on board and the thirty-five rounds of thirty-two-pound cartridges.

I have been informed by some of the cutter's crew that this ammunition had been placed aboard the cutter within forty-eight hours before the capture. Captain Read, in one of his reports to his department, says that if he could have found the locker which had about ninety thirty-two-pound shot, he would have fought it out, and that the result would have been that he would have been run down, with the probable loss of the cutter's crew who were below in irons.

Whatever may have been the effect, this failure to find the ammunition, together with the lack of wind, prevented a serious conflict and probably prevented the Confederate escape.

I have been much interested within the last twenty years, in talking with many of the crew of the Caleb Cushing, the list of whom now living is fast growing small. I have heard an interesting account of the whole affair from Captain Benjamin Jones, who sailed out that morning with the steamers, and was lying off near by the scene of the conflict in the sloop yacht Clarence, which has so long been well known to Portland people and has become almost historic.

While in prison the Confederate officers gave very graphic accounts of the affair from their standpoint. They describe, with great vividness, their approach to the city at nightfall, with their twelve-pounder and their arms concealed, thus enabling them to pass the forts without being hailed. Had they been hailed they would have replied that they were fishermen and going in after bait. They proceeded up the harbor and anchored below Victoria wharf, where they busied themselves with their glasses in taking a survey of the harbor, its defences, the city and everything which came within range. They did not leave the schooner, as reported, but remained there, making calculations and plans for the night's business. They ascertained with their glasses the position of affairs and determined to lie low until midnight, then seize the cutter, run down to the Archer and transfer all the guns, ammunition and stores from the Archer to

the cutter, set fire to the gunboats Agawam and Pontoosac, lying at Franklin wharf, and to the elevator and the shipping, then run past the forts and take the Boston boat on her way in, thus preventing pursuit, there being no vessel left to pursue them. If the forts attacked them, they intended to run back into the harbor and shell the town. This statement was made by Mr. Brown and also some of the men who said that they were all determined to risk their lives freely in the service of their commander, to whom they were attached to an almost romantic degree.

Captain Read is described by all who saw him as little more than a boy, bright faced, alert, twenty-three years of age, rather slight, with brown mustache and whiskers and a thin, sharp face; he was dressed in naval uniform. He was born in Mississippi and was a graduate of the Naval School at Annapolis. He had already won distinction in the naval battles near New Orleans. In his report to the Confederate department he describes in an almost boyish way the dramatic incidents of his capture and of his imprisonment, and sends for some money to buy clothing, saying that a great deal of his clothing had been taken by the citizens of Portland as souvenirs. I have been interested to follow the career of Captain Read, and I find that he continued in the Confederate navy as long as there was a Confederacy, and afterwards entered some peaceful pursuit and died in 1891 at Meridian, Mississippi.

Mr. Brown, the second in command, was also a very young man, slightly built, a native of Norfolk,

Virginia, and of an agreeable presence. He had been an officer on the cruiser Florida.

Most of the men were natives or residents of the South but some appeared to be foreigners and adventurers.

Captain Andrews of Fort Preble, as late as the 29th, the Monday after the Saturday of the incident, reports to the War Department: "You can form but faint idea of the excitement now existing among the citizens of Portland and vicinity. Rumor follows rumor in rapid succession and just before daylight this morning some one from the vicinity of the post went to the city with a fresh rumor which set the whole city in a ferment. Bells were rung and men, women and children soon filled the streets and were rushing hither and thither in aimless fright." He further suggests that the prisoners be sent from here as quietly as possible. The Collector also, in his communication with the Treasurer of the Department, asked for instructions, whether or not the prisoners should be treated as pirates and sent to Portland jail or as prisoners of war and sent to Fort Preble. It is interesting to see further that most Portland citizens regarded them as pirates. Captain McLellan, June 30, reports to the Navy Department that he has all the crew of the Tacony and that so far as he knows there are no *other pirates* on the coast. In less official communications he generally referred to them as pirates, and stated with emphasis just what kind of pirates he thought they were.

It is difficult to imagine the effect which this incident of the Caleb Cushing had upon a peaceful community. It was one of the most daring acts of the Confederate government in its desperation. The event itself is as picturesque in its setting and in its detail as a battle. I do not know where to find a story of more reckless audacity. That a band of adventurers should have been able to come in under the guns of our forts, capture the only armed vessel in the harbor, cut it out without any interference and should finally be overhauled and captured outside the harbor far beyond the islands, is almost as strange and dramatic as the fight of Paul Jones on the Bon Homme Richard against the Serapis, in which he wins his battle with a sinking ship, and in which the conquered vessel remains afloat and the victorious vessel sinks. But in time of war this Portland incident was little noted. It was dwarfed by greater events; on that day Lee's army was within a few miles of Harrisburg; that city as well as Philadelphia and Washington and even New York were threatened. The wires were trembling with the news; the people were trembling with excitement and apprehension for the nation's life. Gettysburg followed in a few days; and the Confederate cause began to totter to its fall. Moreover no calamity attended this New England incident. The French proverb says, "It is the unfortunate that is remembered." We remember battles and slaughters, things that are picturesquely terrible. If success had not attended the energy of these prompt and plucky New Englanders who fitted

out and manned the steamers which won the victory and which brought back the Confederate crew, then that day of bright adventure would have become sadly historic. If the Confederates had found the powder, the goodly fellowship of citizens that bright June morning might have become a noble army of martyrs. Both steamers would probably have been sunk and the day would have always been celebrated as one of the most terrible in all New England's history; but the physical, tangible result was merely the loss of a small and not over valuable revenue cutter. Nobody was hurt, and with all the bold and picturesque features of attack and pursuit, the result was mere commonplace success.

Since then, history has been too busy with the great annals of war to pay much heed to a local adventure in a New England harbor. Portland has had the good fortune to have historians of great ability; but Mr. Willis and Mr. Goold gave their attention to the recounting of the old, and even Mr. Baxter, with a very great talent for research and the writing of history, has dwelt upon distinctly historic scenes in the great past of New England, but none of them have ever brought a picture of this incident before the people of this generation. It seems to me that the event must always be memorable in the history of Portland and of especial interest in the history of New England. It is the second time that an armed vessel with a hostile force has ever anchored in the harbor of Portland. I know of no other time except when Mowatt, in 1775, laid his fleet before the city in

almost the exact spot where eighty years after the "converted" fishing schooner anchored.

Mr. Reed, in his splendid Portland Centennial address in 1886, says of Mowatt's bombardment and burning: "A more wanton, indefensible assault upon an undefended city has not disgraced the annals of modern warfare." Those words were not perhaps too strong to describe the wantonness of Mowatt's act. This intended assault in 1863, upon a sleeping city far removed from the field of war, was in its inception just as wanton and might have proved as fatal as Mowatt's. It was not the act of pirates, although in common speech often referred to as such. It was the act of a Confederate naval commander authorized by the Confederate government. It involved not only the attempt to burn Portland shipping and Portland wharves but the probability of burning the city itself in the night, with its unwarned and undefended women and children; and this is shown by the Confederate records and the admission of the desperate men entrusted to the enterprise. But it is to be borne in mind that this event is not to be looked upon in the light of a transaction in a time of peace. We were at war, and as General Sherman said, "War is hell." Things done in war are not to be judged by the weights and measures of peaceful times. My purpose is simply to tell this story and not to stir up feelings of prejudice long since buried.

Perhaps history will not stop to inquire what the Confederate intention was nor what were the dread possibilities; it certainly will give its just praise to

the dash and daring of the little band of Southern seamen who cut the Caleb Cushing out of a strongly defended harbor in the North without striking a blow or firing a gun, and who were finally kept from success by what we in our narrow vision call chance. History will certainly give its full measure of praise to Portland men for their resolute promptness in seeing and seizing the situation and bringing victory out of disaster.

At the risk of repetition, I have told this story from the standpoint of the different participants in the affair and have quoted as largely as I could from current accounts, because I think this method brings the whole affair to our minds with more vividness.

It is left to the historian of the future to fitly record these scenes. I have chronicled them now because as I have already said they were long ago called to my attention in searching Confederate records in a case in court and because they have ever since made their appeal to my memory and my imagination.

When I look at the beautiful inland sea which lies between Diamond Island and Mackworth's, I think of that stealthy craft creeping at nightfall on the unsuspecting city, of the cutter piloted by the scared fishermen out by Diamond Cove, through Hussey's Sound, in the providential calm of that summer morning. I can seem to hear that explosion which rent the peaceful air and see the blackened timbers and the guns rolling from the deck and sinking in the bay. And when I see the waters about the Green Islands gleaming in the sunlight I think of that fight upon the sea,

the only sea fight ever fought so near Portland homes, and I am glad to remember that the result was a tribute to the pluck, energy and courage of Portland people.

REV. FREEMAN PARKER AND THE CHURCH IN DRESDEN

BY CHARLES E. ALLEN

Read before the Maine Historical Society March 14, 1901

After the departure of Rev. Jacob Bailey in 1779, Dresden was for twenty-one years without any regular clergyman of any persuasion, although ministers were employed for a Sabbath at a time, or in a few cases for longer periods. In 1796, two years after Pownalboro was divided and Dresden incorporated, the town refused to take the Episcopal church lot for a Congregational church. The following year, however, it was voted to build a meeting-house. There was some delay, and the edifice was not completed until the year 1800, when it was voted to give Rev. Freeman Parker a call to preach, at a salary of $500 a year, and Obadiah Call, Jonathan Bowman and Edmund Bridge were chosen a committee to wait upon Mr. Parker and receive his reply. The town meeting on this occasion was held at the new meeting-house.

The land upon which the edifice was erected was conveyed to the town by Abiel Lovejoy, who then had removed from Pownalboro to Sidney, and the consideration was one dollar for one acre of land, the same to be for a church lot forever. The edifice was removed in 1862, and in 1867 Pownalboro Hall,

owned by an association of ladies, was erected upon its site. In this the Congregational society of to-day holds its services.

At a town meeting May 25, 1801, the inhabitants heard Mr. Parker's letter of acceptance, and they chose committees to send letters missive to the pastors of other churches to assist at the ordination, and to provide for an ordination council.

Mr. Parker's letter of acceptance was dated May 9, 1801, and it is characterized by warmth of expression, although there appears to be a little gush pardonable in a young man just out of Harvard Divinity School. The first Wednesday in September was chosen for the ordination. The clergymen who were invited to be present, and the churches with which they were connected, were: 1. Rev. Oakes Shaw, West church in Barnstable. He was father of Lemuel Shaw, a well-known jurist and for many years Chief Justice of Massachusetts. His term included the exciting fugitive slave times in Boston. Rev. Mr. Shaw had fitted Mr. Parker for Harvard, and he came on horseback from Barnstable, about two hundred and fifty miles, to Dresden, accompanied by his wife, he being then sixty-five years of age, and preached the ordination sermon. 2. First church in Plymouth, Rev. James Kendall, pastor. This was and is the Pilgrim church. 3. Second church in Hingham, Rev. Nicholas B. Whitney, pastor. 4. Church in Quincy, Rev. Peter Whitney, pastor. 5. West church in Boston, Rev. Simeon Howard, D. D., pastor. This became in later years the church of the late Rev. Cyrus A.

Bartol. It is on Cambridge street, and the building is now used as a branch of the Boston public library. 6. Second church in Wells, Rev. Nathaniel D. Fletcher, pastor. 7. Rev. David Tappan, professor of divinity at Cambridge. He had been Mr. Parker's instructor in theology. 8. The church in Pownalboro, Rev. Alden Bradford, pastor. This was what is now Wiscasset, that section of Pownalboro retaining the old name until 1802. 9. The church in Woolwich, Rev. Josiah Winship, pastor. 10. The church in Augusta, Rev. Daniel Stone, pastor. 11. The church in Warren, Rev. Jonathan Huse, pastor. 12. The church in Brunswick, Rev. Ebenezer Coffin, pastor. 13. The church in Harpswell, Rev. Samuel Eaton, pastor.

I do not find that any of the above from a distance attended except Mr. Shaw. It is probable that Mr. Stone and others in the vicinity were present. Jonathan Bowman and Edmund Bridge paid the expenses of the council.

Mr. Parker was born in Barnstable, July 9, 1776, and said that he was named Freeman because of an event of interest to Americans which occurred on the 4th of the same month in which he was born. His father, Robert Parker, became an officer in the Revolutionary army and died there. Whether he was of the family of John Parker, who was at Lexington, I know not, nor does it matter at present. Much of the property left by Freeman's father was in Continental currency, and its depreciation left the widow in poor circumstances. Freeman entered college in 1793, and graduated in 1797, having among his

classmates Dr. John C. Warren, who for thirty-three years was professor of anatomy in Harvard. After studying theology he was licensed to preach by the Andover Association, and after preaching three months in Dresden, received the call already noted. His salary was, I think, the largest paid at that time east of Portland.

On the day of his ordination Mr. Parker met Miss Rebecca Rice, daughter of Judge Thomas Rice, of Wiscasset, who in 1804 became his wife. She died in 1843, and he died in 1854. In 1814 he became blind, and was afterwards known as the "blind preacher of Dresden." He spoke extemporaneously, and if he wished to preserve a sermon dictated to his daughter, who wrote it out. He ceased to be the legal minister of Dresden in 1816, although he was hired by the Congregational society which was organized soon afterward. In 1829, Mr. Parker removed to Wiscasset, where he died. He preached there for the last time in 1846. In 1851, fifty years from the time of his ordination, he preached in his old church at Dresden for the last time, from Psalms 37:25, "I have been young and now am old." That eloquent sermon should be preserved. I read it not long ago, and many elderly people in Dresden still speak with pleasure of having heard it. It was largely reminiscent. He remembered the inauguration of Washington, though but thirteen years old at the time; and he also remembered John Hancock, first Governor of Massachusetts after Independence. As a member of the University he followed to the grave the remains

of Samuel Adams. A single quotation from this discourse must suffice. He said: "My friends, I am not going to preach politics. . . . But remembering now I am old you will bear with me." Then, after alluding to the slavery agitation, he said, "As much as I hate slavery, and as earnestly as I long and pray for its utter extermination, I would stand by the Constitution with its slavery provision, bad as it is, for fifty years to come, rather than dissolve the Union, with its fearful consequences of civil war, anarchy and bloodshed." There had already been some threats of disunion, and in ten years from the time when he uttered these words, there came an attempt at dissolution, and a bloody civil war followed that attempt. Were his words prophetic?

Mr. Parker was a Republican, or Jeffersonian Democrat, and Dresden was inclined to Federalism. Party feeling was strong. In 1807, the Republicans had a Fourth of July celebration, at which they listened to a "fervent and pathetic prayer" by Mr. Parker, and an oration by Rev. Mr. Merrit, of Bowdoinham, both of these being in the church. Toasts also endorsed Jefferson, condemned the Federalists, and commended the Squatters of Maine, and their Governor, James Sullivan. I fancy the seeds of discord were sown thus early, and as Mr. Parker often alluded to political questions in his sermons, the trouble soon reached a climax. Governor Brooks signed the charter of the Methodist society in 1816; and a law was passed that released those who united with the other sects from paying their ministerial tax, and Mr. Parker's parishioners

left him in squads, not, however, because they loved Methodism. Mr. Parker signed the legal document releasing the town from its contract with him December 3, 1816. A society was formed which hired him to preach occasionally until the year 1835. After this the old meeting-house became a sort of union church, where Sylvanus Cobb, Rev. W. C. George, John L. Stevens and others officiated at various times. All that now remains of the old church, so far as I know, is a panel from one of the pews, which is in my possession. As before stated, Pownalboro Hall occupies its site, and here was organized, January 31, 1893, the "Pownalboro Church of Christ," under the ministrations of Rev. Arthur Patten, now of Holyoke, Massachusetts.

Something should be said about Mr. Parker's work in Dresden. Peter Pochard, the Huguenot, was first sexton. In 1802, the town tried to take some action to keep dogs out of the church on Sunday. Samuel Tubbs, who was major in the Revolutionary army, was first deacon. The names of those who assented to the first covenant in 1801 were, many of them, distinguished, or became so in after years, as Jonathan Bowman, cousin to John Hancock, and son of Rev. Jonathan Bowman, of Dorchester; Edmund Bridge and John Hawthorne; also Theobald, Patterson, Dumaresque, Harward, White, Tupper, Johnson and many others. The list of baptisms is a formidable one. Among the marriages are Barzilla White and Cordelia Tupper, Alfred G. Lithgow and Martha Theobald, Warren Prescott and Rebecca Johnson,

Edward E. Houdlette and Elizabeth Patterson, John Hubbard, M. D., and Sarah Barrett. I have not time to mention others. Of those mentioned, Barzilla White was associated with Israel Washburn, father of a most illustrious American family, in the settlement of White's Landing, now Richmond village. His wife was daughter of Dr. James Tupper, who in 1792 built the timber ship. A slate headstone, in what was the burying ground purchased by the town a few years after the old church was built, still marks the grave of Israel Washburn's brother Sidney. Alfred G. Lithgow was descended from John Gardiner of the famous Gardiner family, and his wife, Martha, was a daughter of the Dr. Theobald who was chaplain in General Burgoyne's army, which surrendered at Saratoga in 1777. Edward E. Houdlette was of a large and respectable family descended from the French Calvinist, Charles Stephen Houdlette, one of the settlers of 1752. His son Henry is master of the Oceanic Steamship Company's steamer Sierra, plying between San Francisco and Sydney, Australia. The wife was of a respectable family of Pattersons well known in Dresden, Wiscasset, Augusta, and elsewhere. Dr. John Hubbard was of Hallowell, and was Governor of Maine from 1849 to 1852. His wife was a daughter of Oliver Barrett, who lived on Blenn's Hill, in Dresden. Barrett was a carpenter and farmer, but in 1828 he attained the dignity of being one of thirteen persons in Dresden who were taxed as owners of chaises. One of his sons, Benjamin F., was a Swedenborgian clergyman, who died in Philadelphia a

few years ago. It is well to add, perhaps, that a son of Dr. John and Sarah Barrett Hubbard is the gentleman who recently gave $150,000 for a library building for Bowdoin College.

I should give some description of the old meeting-house. One Edward Austin, who came from York, Maine, to Dresden, via Hallowell, was its master builder. It bore a strong resemblance to many of the meeting-houses erected in New England at and prior to the beginning of the nineteenth century. The old church still standing in Alna is a type; although old Dresden people affirm that the Dresden edifice was handsome. It was oblong in shape, two stories in height, and faced the south, with vestibules or porches on the eastern and western ends. I have no record of its dimensions. It was unpainted, inside and out. The second story windows lighted the galleries. Inside, a broad aisle led from the southern entrance to the pulpit, which was on the northern side, and very high. Above it was an enormous sounding-board, which children sometimes feared might fall upon the preacher's head. Galleries were on three sides, and we have a hint as to the architecture of the structure in a vote of the town to abate taxes to those in whose pews the pillars were which supported the galleries. The pews were boxes with doors. Once within them, and children found them to be quite like prison cells, for they could hardly look over their tops. The building had no steeple and no bell. At first it was unwarmed, but in later years, town meetings and other entertainments

were held there, and a stove was set up for warming it.

The Legislature passed an act authorizing its sale, and in 1862 it was sold to Jefferson Hathorn, of Richmond, for a trifle, and removed. I believe that part of its material was used in the construction of a stable which is still standing in Richmond. Old people mourned, and those who are now living still mourn over its destruction, declaring that it was a desecration consummated by deception and trickery. Of this I know nothing, but can sympathize with them in their regrets, for the old church was for many years their sanctuary, their holy place. For more than half a century had they with their parents and grandparents gathered within its walls, regularly at first, intermittently in later years. Here they met in town meeting and indorsed Jefferson's embargo and the war of 1812. Here they cast their votes for Jefferson and for the Squatters' Governor, James Sullivan. From this church and from the dwellings in its neighborhood went forth the sons and daughters of old Dresden to become famous in other states and in other lands, from the Atlantic to the Pacific coast, until to-day the population of the town is about half that of the palmy days of the old church. Can we wonder that the older people who still survive in Dresden occasionally sigh for "the good old times," for not only are the old-time industries gone, but the churches themselves barely exist with an ever declining population.

CHURCH AND STATE IN NEW ENGLAND

BY HON. AUGUSTUS F. MOULTON

Read before the Maine Historical Society April 17, 1901

Both the Pilgrim and the Puritan were first of all religionists. There seems to be no question that the reason which actuated the Pilgrims in making their settlement at Plymouth in 1620, and which likewise supremely influenced the Puritans who subsequently established themselves on the shores of Massachusetts Bay, was that they desired to enjoy in peace their religious beliefs. Both settlements were made by men and women who had come up out of great tribulation. They had evolved a faith and a creed which were to them sufficient for life and death, and they cheerfully exchanged their old home, their friends and native land for a new abode in the wilderness. This abode, though bleak and lonely, was nevertheless hallowed by the associations of the austere religion which they regarded more highly than all the comforts and pleasures of the world. They also expected and desired to establish and perpetuate a new commonwealth, whose corner-stone should be righteousness, where they and their descendants might forever dwell, free from the hateful influence of ritualists upon the one hand and of infidels upon the other.

It is not uncommon to hear the Pilgrims and Puritans spoken of as if they were the same. They were

indeed of similar origin. Both were products of the reformation begun by Luther in the early part of the sixteenth century. Perhaps it may be more exact to look farther back and say that they were a product of the heresies of those independents whose most conspicuous example was stout John Wyckliffe, the man who translated the Bible and preached the word in England nearly a hundred and fifty years before the German monk began his controversy with Rome. Those Lollards, or Babblers as they were called, who chose to discuss religious matters and criticise the creed and the doings of the church, continued to increase after the time of Wyckliffe. Their discussions loosened the bond which connected England with the Papacy. It is by no means true that the English people deserted Roman Catholicism merely because Henry VIII. so commanded, when he had been thwarted in his matrimonial ventures by the Pope. Ten years before Henry annulled the Papal authority in England in 1534, Tyndall had set his printing press at work and was scattering his version of the Bible and his tracts among the people. For some years before that date, Hugh Latimer had been preaching and teaching the doctrines of the Reformation with the same zeal which he displayed twenty years later, when in Bloody Mary's reign, he cried out at the stake "We shall this day light such a candle, by God's grace, in England, as I trust shall never be put out." Not only was England more than half Protestant when King and Pope fell out, but there were many who were far too radical to be kept within the limits of the English

Church. It was a time when the discussion of religion was engrossing the attention of all the world. The Bible was in the broadest sense a revelation. Its literature, its history and its teachings were recited and argued in every home.

It was natural that theological controversy should produce a variety of beliefs. In the long reign of Queen Elizabeth, the greater part of the English people were members of the Anglican Church. Most of them claimed it to be the original apostolic church, redeemed from the errors of Rome and the Papacy. A considerable number, however, desired to have the church conformed in doctrine and policy to the reformed churches of the continent. The latter sometimes called themselves root and branch men, but their opponents named them in derision Puritans; and this name, Puritan or Church Puritan, they adopted and by it they are commonly known. The Puritans were not in fact outside of the church, but were restless members within it. They desired the apostolic way, but they objected to the dictation of the king. The Apostles, they declared, asked no consent of Cæsar in formulating their creed, and no authority could be found in the Scriptures for making the determination of faith and morals a part of the royal prerogative.

The Independents or Separatists on the other hand were a sect, not large in point of numbers, who followed so much of the teachings of Robert Browne as declared the Puritans to be mistaken in adhering to the church. The Independents placed their religion

upon an individual basis. They considered that a church should be an organization of holy men independent of any state control. But Queen Elizabeth was head of the church, and such doctrine implied a denial of the royal supremacy. It was practically the preaching of treason, and so every inveterate Separatist was liable to the penalty of death.

The Pilgrims who came to New England were for the most part Separatists who had withdrawn from the Anglican Church, and had been organized as an independent congregation in the drawing-room of William Brewster, at Scrooby Manor, in Nottinghamshire. Brewster was a Cambridge graduate, and John Robinson, the minister of the society, was likewise a Cambridge University man. John Carver, the first Governor of Plymouth, and William Bradford, who followed him in the Governorship, were active members of this church. Their meetings were held in secret, but the officers of the law were soon after them. At that time, Holland, following the policy inaugurated by William the Silent, granted religious toleration to all, and in 1608 the Scrooby congregation, leaving stealthily in detachments, emigrated to Holland. There they remained twelve years, eleven of which were spent in Leyden, where additional emigrants increased their number to about a thousand.

It soon became apparent that in a foreign land the rising generation must lose their English speech and English manners, and, more than that, amid such surroundings their religion could not be expected to retain its austere purity. And so it came to pass that

after negotiation with the London Company, the Mayflower crossed the ocean and landed her precious freight of one hundred passengers at Plymouth. The passengers which the Mayflower carried were an ordinary ship-load, plainly to be seen of men; but that fateful vessel bore also, as another cargo which no man saw nor comprehended, ideas of expansive power that were to influence a continent.

It is apparent that those enthusiasts did not come to Plymouth to establish religious toleration. They came rather to escape from the baneful effect of such a thing. Although Holland had afforded them a refuge, they regarded it, from a theological point of view, as a nest of unclean birds. In those times there were few who did not regard it a sin to admit that different forms of belief might be acceptable to God. One could not allow that another might be right without at the same time conceding that he himself might be wrong. The question of the relation of church and state had little opportunity to arise during the early years of the Plymouth Colony, because they were all religionists of one school. The town meeting and representative government had never suggested themselves to any one. The settlers were too few in numbers for them to need representatives. At the end of ten years there were but three hundred of the colonists, and the same meeting-house where the congregation assembled on Sundays for worship was used on week days for arranging the public business. It was the irregular meeting of the Pilgrim congregation that later became with them the systematized town meeting.

The exodus of the Puritans to Massachusetts Bay began about ten years after the Pilgrims landed at Plymouth. Charles the First came to the throne in 1625. He assumed to rule by right divine. After four years of wrangling he dismissed his Parliament and asserted his own autocratic rule. Strafford and Laud began their thorough work in the Church to banish dissent and compel obedience to the Episcopal creed. A heavy hand was laid especially upon the Puritans. Both civil and religious liberty then seemed lost in England and the Puritans began a look about for some avenue for escape. Before 1630 there had been a few feeble attempts to form settlements outside of the Plymouth Colony. In that year the general movement upon the part of the Puritans began. By the end of December seventeen ships, with more than a thousand emigrants, had come to New England. More and more the volume of the exodus increased until in the year 1640, when the Long Parliament met to begin the struggle for freedom on English soil, there were above twenty-three thousand representatives of the best blood of England settled upon the lands adjacent to Massachusetts Bay. They had been Church Puritans at home, but, having been driven from the Church, they soon became Separatists in fact and sound haters of Episcopalianism. The settlements were large, and the need of civil government became at once imperative, and the town meeting developed itself spontaneously from the necessities of the situation.

The exodus was almost wholly of a religious nature and an ecclesiastical polity was straightway adopted. They had no bishops to consecrate the clergy by laying on of hands, but a church covenant and confession of faith were drawn up by Francis Higginson, and a committee, authorized by the church, ordained the ministers. The government of the colonies, (except that of Rhode Island,) as they were severally established, became ecclesiastical in character and in that form was handed down to subsequent generations. The gradual relinquishment of church control over civil government in New England forms an interesting subject for consideration.

The charter of the Massachusetts Bay Colony was granted by King Charles in the fourth year of his reign, namely, March 4, 1628. It declared in verbose phraseology that Sir Henry Rosewell and twenty-five associates by name "and all such others as shall hereafter be admitted and made free of the company and society hereinafter mentioned, shall from time to time and at all times forever hereafter be, by virtue of these presents, one body corporate and politick in fact and name by the name of the Governor and Company of the Mattachusetts Bay in New England." It was provided, "that from henceforth forever there shall be one Governor, one Deputy Governor and eighteen Assistants of the same company to be from time to time constituted, elected and chosen out of the freemen of the said company for the time being." These Assistants were to be called together by the Governor as occasion might require "to consult and

advise of the business and affairs of the said company." They should hold "upon every last Wednesday in Hilary, Easter, Trinity and Michas terms respectively forever, one great, general and solemn assembly, which four general assemblies shall be styled and called the four Great and General Courts of the said Company." It was further provided that they "shall have full power and authority to choose, nominate and appoint such and so many others as they shall think fit and that shall be willing to accept the same, *to be free of the said Company and body*, and them into the same to admit." It will be observed that the original government of the Massachusetts Bay Colony was by no means a popular one. It was restricted to those who should be admitted as "freemen." The "freemen" were entirely distinct from the "freeholders," who were land owners, and from the "inhabitants," who might or might not be property holders. Before being admitted as a freeman the inhabitants took the formidable freeman's oath, to be faithful to the government, to maintain its liberties, and to act conscientiously in all things. Only the freemen so admitted were entitled to vote generally, although later, when townships were organized, the freeholders and sometimes all the inhabitants were allowed to vote upon choice of town officers and money raised by way of rate. Accordingly, we find in the same book records of "meeting of the freemen," "meeting of the freeholders" and "generall towne meeting." Under the charter, no particular test was required for admission to the office of

freeman. The Assistants and the freemen selected by them could add to their number whomsoever they might choose. One of the very first laws passed by the Puritan Colony, however, provided "To the end that the body of the freemen may be preserved of honest and good men: It is ordered that henceforth no man shall be admitted to the freedom of this Commonwealth but such as are members of some of the Churches within the limits of this jurisdiction." This was followed by the further provision, "It is the intent and order of the Court that no person shall henceforth be chosen to any office in the Commonwealth but such as is a freeman."

The orthodoxy of the churches was determined in a summary manner. There were a few who were not willing to give up the Anglican forms of worship, and in Salem it was attempted to establish an Episcopal church. Governor Endicott immediately had the leaders put on board ship and sent back to England. If the Episcopalians in the old country chose to insist that the Puritans could not be in their communion, the New England settlers who had been driven out were ready to take them at their word. The separation had become an established fact and there was no disposition to revive old controversies. The Episcopalians were welcome to worship as they pleased, provided they did so in the old country or up in Maine where Gorges, Cammock and the rest boasted of their loyalty to Church and King, but Massachusetts would have none of it.

It appears that office-seeking was not so prevalent in the early days as it has become in later times, and accordingly the Great and General Court felt constrained to legislate as follows: "Whereas many members of churches to exempt themselves from publick service will not come in to be made freemen, it is ordered, &c., if any person, shall refuse to serve &c., being legally chosen thereunto, he shall pay for every such refusal such fine as the town shall impose, not exceeding twenty shillings for one offence."

That the theocratic form of government was of rigid character appears throughout the Colony laws. In 1663 it was "ordered by this Court and the authority thereof that all persons, quaker or others, who refuse to attend upon the public worship of God here established; that all such persons, whether freemen or others acting as aforesaid, shall, and hereby are, made uncapable of voting in all civil assemblies during their obstinate persisting in such wicked ways and courses."

Early provisions was made for the proper support of both government and churches. It was enacted that the Court "doth order that every inhabitant shall contribute to all charges both in church and commonwealth whereof he doth or may receive benefit; and every such inhabitant who shall not contribute proportionably to his ability to all common charges, both civil and ecclesiastical, shall be compelled thereunto by assessment and distress to be levied by the Constable or other officer of the town." But "the ministers of God's word, regularly ordained over any Church

of Christ, orderly gathered and constituted, shall be freed from all rates for the Country, County and Church."

The laws enacted by the early colonists have, at different times, been collected and printed. They may be found in an official volume which is now quite rare, but which is often referred to by the courts, for those laws and regulations were the foundation of a large part of our present statute law, and form the basis of many vested rights. The somewhat formal title of the book is "The Charters and General Laws of the Colony and Province of Massachusetts Bay, carefully collected from the Publick Records and Ancient Printed Books: to which is added An Appendix tending to explain the spirit, progress and history of the Jurisprudence of the State, especially in a Moral and Political View."

Among the sound and practical laws in this compilation there appear many curious provisions. The acts respecting capital crimes make reference in each case to the chapter and verse of Scripture relating to the same. It is provided that "for the yearly choosing of assistants, the freemen shall use indian corn and beans, the indian corn to manifest election and the beans contrary; and if any freeman shall put in more than one indian corn or bean for the choice or refusal of any publick officer, he shall forfeit for every such offence ten pounds."

In most cases the reason for the enactment of the law is set out with quaint directness. The common school was one of the first objects to receive attention

and there is a world of meaning in the beginning of the act respecting schools. "It being one chief project of Satan to keep men from the knowledge of the Scripture, as in former times keeping them in unknown tongues . . . to the end that learning may not be buried in the graves of our forefathers in church and commonwealth, the Lord assisting our endeavors, it is therefore ordered," &c. Six years after the Puritans came there was an act respecting "the College" which began "Whereas, through the good hand of God upon us, there is a College founded in Cambridge, in the County of Middlesex, called Harvard College" . . . and to it they gave four hundred pounds and the revenue of the ferry betwixt Charlestown and Boston. Moreover, it was considered that the youth should be educated not only in good literature, but in sound doctrine, consequently the selectmen must see to it that none should be teachers that have manifested themselves unsound in the faith or scandalous in their lives.

The duellist and the suicide were to be denied a Christian burial, the former to be buried without a coffin, with a stake drove through the body, and the latter to be buried in the common highway and a cart-load of stones laid upon the grave.

There is little reference to Parliament or King, but the recollection of the Star Chamber is recalled when they rose to a lofty plane and ordered that "no man's life shall be taken away, no man's honor or good name shall be stained, no man's person shall be arrested, restrained, banished nor any way punished, no man's

goods or estate shall be taken away, unless it be by virtue or equity of some express law of the country warranting the same, or in case of the defect of a law, by the word of God."

One is reminded that the Puritan in the new world was of the same school as the Puritan of old, by laws similar to those enacted by the English Commonwealth a dozen years or so later, during the protectorate of Cromwell. Dancing and card playing were forbidden, the observance of Christmas was not allowed, the morals of the people were guarded with jealous care in regard to church attendance and in many ways. These Puritans were not altogether intolerant. They allowed other sects to worship in their own way, provided they first obtained permission from the magistrates and were quiet and orderly. But they were positive in disallowing any attempts to undermine the orthodox faith or to disseminate heterodox doctrines. These privileges of worship were extended only to Protestants. Papists were considered as having no rights and to be entitled to no consideration.

The compilation of laws referred to were those of the Province and Colony of Massachusetts Bay. The same rigor was not found in all the colonies. The laws of New Haven, before it was annexed to Connecticut in 1661, were the most straight laced of all, and gave some basis for the well known caricature upon them by Samuel Peters, called the Blue Laws. The Pilgrim Colony of Plymouth never restricted the suffrage to church members, and it was liberal in

regard to religious beliefs. The act which terminated its separate existence in 1692 also abolished the requirement of church membership for voting in Massachusetts.

The people of Connecticut guarded well the morals of her people but did not make a religious test for voting. New Hampshire was largely settled by heterodox people, Episcopalians and Antinomians, but in 1641 it came under the dominion and laws of the stronger colony of Massachusetts Bay, though a considerable part of its inhabitants had little regard for Massachusetts or her laws. Maine, under the dominion of Gorges and his friends, Jocelyn, Macworth and Jordan, was hopelessly given over to Episcopalianism and had little, if any, idea of suffrage of any kind. The statutes of the stronger colony prevailed there after 1658 when Massachusetts, with the help of Cromwell, benevolently assimilated, and later bought it of the heirs of Gorges, and so continued until the separation in 1820. The Province of Maine rendered unwilling obedience to Massachusetts laws until it was resettled after King Philip's War, and even then it was a resort for those who had small regard for creeds or churches. Consequently, up to 1692, when the new charter granted by William and Mary abolished the religious test for voting, the greater part of New England was governed by Massachusetts laws and statutes. The one great and conspicuous exception was the Colony of Rhode Island. There Roger Williams and his followers allowed perfect liberty of conscience in all matters of church and state. The

hospitality of the noble little colony was tested to the limit of endurance by the fanatics and pestilent religious cranks who made it their refuge, but it never faltered in its devotion to the principles of toleration. In spite of all protests and in spite of being excluded from the union of the New England colonies, Williams declared and maintained that "the freedom of different consciences shall be respected."

While we may condemn the bigotry of the Puritans of Massachusetts Bay, we cannot fairly call them inconsistent or hypocritical. There is more to be offered in defence of their position than can be said in favor of their brethren who remained at home and endeavored to make England under the Protectorate a nation of saints. The New England Puritans were doubtless fanatical to a considerable extent, but their honesty was beyond question. This world to them was but a place of preparation for the real life beyond. The pomps and vanities of earth were, according to their creed, as nothing when compared with eternity. Amid all trials and disasters they were able to say with earnestness, impressive because it was sincere, "These light afflictions which are but for a moment shall work out for us a far more exceeding and eternal weight of glory." It lay at the foundation of the Puritan faith to make all the actions and doings of this brief life, so far as in them lay, acceptable in the light of Him to whom a thousand years are as yesterday when it is past and as a watch in the night. They had removed themselves to an unexplored and dangerous wilderness for the purpose of establishing

a Commonwealth which should be in accord with their high ideal. For this purpose they had come far, regardless of dangers by sea and land. For this ideal, they had sacrificed property, friends, connections, native land — everything that was dear to a home-loving people. The place which they occupied was their own. They intruded upon no one, they molested no one outside of their own bounds, they only asked that they likewise should not be molested. They felt that they had a right to keep the seeds of evil away from the soil of their new state and to protect the wheat field of their faith against those who would sow tares therein.

This was their intention, and it is curious to observe how their energy, intelligence and study of the Bible gradually widened their mental and spiritual horizon. With their preaching and their schools, they were all the time building better than they knew. They would of themselves in time have worked the problem out, but they were not allowed to do so without interference. Their plans for building and maintaining a state of highest quality, united with a church having a creed correct and unalloyed, were soon disrupted in spite of all their care. The immediate causes of disturbance were: first, the Quakers; second, the Episcopalians, who, after Cromwell, asserted themselves; and third, the Baptists, with their pleas for soul liberty and hatred of state interference with religion.

Governor John Winthrop died in 1640, too early to know anything of the Quaker sect. He had managed the affairs of the colony with great discretion. Under

his firm and judicious policy it had prospered in church and state. Those who would stir up theological strife were quietly sent away. "The settlers had come to New England," he said, "in order to make a society after their own model; all who agreed with them might come and join that society; those who disagreed with them might go elsewhere." In order to understand how people so inoffensive as the Quakers could stir up trouble in the Province of Massachusetts Bay, one should consider the origin of that sect. They, like the Puritans, were a product of the religious tendencies of the times.

George Fox, the founder of the Society of Friends, began to preach in England in 1648. He came, as he declared, to announce "the appearance of the Lord's everlasting truth and breaking forth again in His eternal power in this our day and age in England." His doctrines speedily attracted wide attention and he and his followers travelled about preaching to vast congregations, like Wesley and Whitefield in later years. From the trembling and excitement at their meetings they received the name of Quakers. They claimed to be governed by no particular creed, but by the inward light of the spirit. Doctrines of this kind, however well presented, were calculated to attract the enthusiastic and eccentric, and the new sect had many of that sort. There were some among the fanatical disciples of the inner light who sought for striking and original ordeals by which to prove their zeal. They went far to invite persecution and indulged in strange and even gross performances.

Mary Fisher, "a religious maiden," and Ann Austin, having visited other lands with missionary fervor arrived in July, 1656, in Boston and there began to preach. In this steady-going and well-ordered community their radical doctrines excited horror and disgust. There was no law against Quakers as such but the general statute provided: "Although no human power be Lord over the faith and consciences of men, yet because such as bring in damnable heresies, tending to the subversion of the Christian faith and destruction of the souls of men, ought duly to be restrained from such notorious impieties . . . . it is therefore ordered that every such person continuing obstinate therein after due means of conviction, shall be sentenced to banishment." Accordingly, the books of the religious maiden and her coadjutor were burned by the hangman. They were searched for signs of witchcraft, and, after being confined in jail for five weeks, they were placed on board ship and sent away. Thereupon the Quakers, as it has been said, "rushed to Massachusetts as if invited." Those who thus intruded their unwelcome presence upon a staid and sanctimonious community were not of the excellent and dignified class who settled Pennsylvania, but were mainly freaks and cranks who longed, with intemperate zeal, for martyrdom of some sort. They were representatives of the fanatics who travelled to Rome to denounce the Pope, and who visited Jerusalem to testify against the superstition of the monks. Mary Fisher, after leaving Boston, went to Turkey to preach against Mohammed IV. in his

capital. Some of those who came to Massachusetts made themselves offensive by travelling about in sackcloth, like the ancient prophets. Others would rail at the Governor as he walked in dignified state along the street. They would go into the churches on Sunday with their hats on and interrupt and contradict the preacher. John Fiske relates that Lydia Wardwell and Deborah Wilson considered it their duty to travel about the streets of Boston entirely naked and called their conduct "testifying before the Lord." The Puritans had set themselves up to criticize other religionists, and nothing could be more exasperating than to be denounced by these Quaker critics as the children of Baal and the enemies of God.

The same season that the Quakers first came, the General Court passed an act with this preamble: "Whereas there is a cursed set of hereticks lately risen up in the world which are commonly called Quakers, who take upon them to be immediately sent of God and infallibly assisted by the spirit to speak and write blasphemous opinions, despising government and the order of God and Commonwealth, speaking evil of dignities, reproaching and reviling Magistrates and Ministers, seeking to turn people from the faith and gain proselytes by their pernicious ways." It was therefore ordered that no shipmaster should bring them within the jurisdiction under heavy penalties and if he should do so must carry them back.

Nevertheless the Quakers continued to appear and it was next ordered that no person should harbor or

conceal them under a penalty of forty shillings for every hour's entertainment. A year later, 1658, it was enacted because "divers of our inhabitants have been infected and seduced notwithstanding all former laws made" and because "they have not been deterred from their impetuous attempts to undermine our peace and hasten our ruin," that every person of the cursed sect should be apprehended and sentenced to banishment upon pain of death. Three years later, the General Court again took up the case of Quakers who "do like rogues and vagabonds come in upon us, and have not been restrained by the laws already provided." It was ordered that one adjudged to be "a wandering quaker, to wit, one that hath not any dwelling and not giving civil respect," should be tied to a cart's tail and whipped from town to town till he be conveyed "to the outwardmost towns of our jurisdiction." If such wandering Quaker, having been thrice sent away, should, for the fourth time, return, he should be branded with the letter R upon his shoulder and whipped and sent away again. If after this the wandering Quaker should come back once more, he should then be deemed an incorrigible rogue and an enemy of the common peace and be liable to the punishment of death.

Connecticut, New Haven and Plymouth, as well as Massachusetts, passed laws against the Quakers. In Rhode Island, it was declared that any breach of the civil law should be punished, but she adhered to her declaration that the "freedom of different consciences

shall be respected"; and to Rhode Island, it was said, they did least of all desire to come.

The death penalty was four times inflicted upon Quakers who defiantly and persistently returned from banishment. The most conspicuous victim was Mary Dyer, wife of the Secretary of Rhode Island. Hers was a pathetic case. She was of excellent family, but felt it her duty to leave husband and child and go to Boston to testify, in express defiance of the law. Again and again she was sent home. The Governor himself begged her not to return. Her family and friends entreated her to desist. On the gallows she refused to accept permission to depart, saying, "In obedience to the will of the Lord, I come and in His will I abide faithful unto death." Mary Dyer, living, defied Massachusetts. By her death, she conquered Massachusetts, for her example more than anything else stirred up the feeling which, at the next session, caused the law to be suspended. Two years afterward, in 1662, the Legislative Record reads, "This Court heretofore, for some reason inducing, did judge meet to suspend the execution of the laws against Quakers" and it ordered that the law "be henceforth in force in all respects." It was of no avail. Mary Dyer and her fellow martyrs had won. The exclusive rule of the Puritan church in Massachusetts was broken forever. The Puritan Commonwealth in England reached its end the same year that Mary Dyer died, but, independently of that fact, public sentiment forbade the executions. The vagabond Quaker and the resident Quaker and other heterodox

persons were thenceforth suffered to live and to preach.

In the early history of New England, the Episcopalians had little influence. The Puritans at home were members of the mother church, but they contended for its reformation by eliminating from it prelacy and vain ceremonies. The Virginia Charter established the Church of England there, but at the time of the Endicott settlement at Salem the use of the prayer book was prohibited, and thereafter those who used it were sent away. Such Episcopalians as were among them could not partake with them of the Lord's Supper, and consequently were not allowed to vote or hold office. This was a constant source of irritation and complaint, especially in New Hampshire and in Maine after they came under the dominion of Massachusetts. After the restoration in 1660, Charles II. had little regard for the provinces which gave him no respect as head of the Church and little respect in any way. It was then suggested that the Church of England should be established as a state church in Massachusetts and that none but its ordained clergy should solemnize marriages. This proposition aroused instant defiance and its enforcement was not attempted, but it was ordered that the laws prohibiting the Episcopal form of worship and restricting the right of suffrage to church members should be abolished. The Colonists took the royal order under consideration, but did nothing about it. The feeling of irritation increased and it ended in a writ of *quo warranto* under which writ a decree in

chancery, June 21, 1684, was issued, annulling the Charter of the Massachusetts Bay Colony. That of Connecticut was also taken away. Plymouth had none to lose. The next year Charles died and James II. succeeded him. The dull tyranny of James soon made trouble in England and America. Sir Edmund Andros was sent over as royal governor, and by authority of the King Old South Meeting-house was taken possession of for the use of the Church of England. The right of the Colonists to govern themselves was pretty nearly abrogated. Massachusetts was upon the verge of rebellion when the revolution of 1688 deposed James and placed William and Mary upon the throne. Andros was arrested and imprisoned, and government was again set up in accordance with the old forms. The new sovereigns allowed Connecticut to keep her charter as not having been regularly cancelled, but to Massachusetts, in 1691, was granted one entirely new.

This charter recited the grant to the Council of Plymouth, the conveyance made to the Colonists of Massachusetts Bay, and the writ of *quo warranto* under which the said letters patent had been cancelled, vacated and annihilated. Its terms differed in important particulars from those of the old charter.

The Province of Massachusetts Bay was made to include the colony of New Plymouth, the Province of Maine, the territory of Accada or Nova Scotia and all that tract of land lying between the said territories of Nova Scotia and the said Province of Maine. John

Mason's New Hampshire grant, however, was not to be interfered with. The governor was to be appointed by the king instead of being elected. Furthermore, no discrimination against Episcopalians or others in matters of government was allowed, for it said "forevermore hereafter there shall be a liberty of conscience allowed in the worship of God to all Christians except papists," and the General Court should consist of freeholders elected by the freeholders and other inhabitants owning property in the respective towns. The Episcopalians had supplemented the work of the Quakers and theocratic government, all over New England, no longer existed. The new charter of 1662, which united Connecticut and New Haven, allowed no religious discrimination. New Hampshire, made a royal province in 1679, had no religious test for voting. Rhode Island, by her charter of 1662, maintained, as she had always done, perfect liberty of conscience.

It was fully time for such a change. A new generation had come upon the stage of action. The children were not walking in the straight paths of the fathers. Twelve years before the new charter was granted, it was reported that the religious test in Massachusetts excluded four-fifths of the grown men from voting or holding office.

Although church membership was no longer a requisite for suffrage or for holding office, the connection of church and state still continued.

It had long been declared to be the duty of the Christian magistrate to take care that the people be

fed with wholesome and sound doctrine, and the statute provided that in each town an honorable allowance should be made to the minister, respecting the ability of the place; that there should be convenient habitations for the ministers of the word, and later that there should be public meeting-houses for the worship of God,— and that the expense of all this should be assessed upon each person and collected and levied as other town rates. It goes without saying that only that was considered to be wholesome and sound doctrine which was preached by the orthodox ministers, and that the money raised by church rates was applied exclusively for the benefit of the standing order. Against this injustice there was waged a contest arduous and long, and the credit of bringing it to a successful issue belongs, most of all, to the Baptists, or, as they were called, the advocates of "soul liberty."

The origin of the Baptists is less clearly defined than that of some other denominations. Their beliefs were not derived from any one teacher, but were developed during the great awakening in religious thought which characterized the beginning of the sixteenth century. The principal point of difference between them and other denominations was not so much the manner of performing the baptismal rite as in their opposition to the baptism of infants. Baptism, they held, should be given only to those who have been taught repentance and change of life, and the baptism of an unconscious infant is in reality making a farce of what should be a most solemn and

seriously considered covenant of the individual with God. To those holding this belief, infant baptism is little better than sacrilege, and is, as it was expressed, "one of the great abominations of the Roman pontiff." Anabaptists, as they were called, were early found among the settlers, and in 1646 the General Court decreed their banishment. Ten years earlier, in 1635, Roger Williams had been obliged to go beyond the jurisdiction to escape being deported. Although the charter of 1691 granted toleration to the oppressed Baptists, they, with others, were compelled to pay their full proportion toward the support of the orthodox churches notwithstanding the fact that they neither believed their creed nor desired to attend their services. Naturally the Baptists, as well as the Episcopalians, Quakers and non-churchmen, made strenuous objection to paying parish rates. A very comprehensive account of the long and systematic contest waged by the Baptists against these oppressive taxes and restrictions is found in the History of the Baptists in New England by Rev. H. S. Burrage, D. D. It was not until 1728 that any relief, even of partial and temporary nature, was allowed. Then an act was passed exempting from payment for support of orthodox churches those who usually attended the meetings of their respective societies and lived within five miles of the place of such meeting. This exemption was only temporary, and expired in 1733. The Baptists had become strong in numbers and in determination, and from this time they urged a persistent and uncompromising warfare for soul liberty. Rather

than pay taxes, which they believed were wicked and unjust, members of the denomination suffered themselves to be distrained of goods and property, and many, refusing to pay, went to prison for conscience sake. All New England, outside of Rhode Island, compelled the payment of parish taxes, and in all New England the Baptists made resistance by peaceable and lawful means. Court and legislative records, of course, give only those cases where legal contest was made or petition presented. We find that Joseph Moody, of Gorham, Maine, having had his horse taken away, carried his case by petition to the General Court at Boston, but without avail. John Emery, of York, was distrained of his family pewter, but failed to have it restored. In New Hampshire for a while the same course was taken by the authorities, as appears by an occasional case where the party appealed to the courts from an irregular distraint. The most vigorous enforcement of the law obtained, as might be supposed, in Massachusetts and in Connecticut. The Warren Association in Massachusetts as early as 1769 took these matters into consideration, and from that time carried on an organized and determined effort for a change of these laws which they considered to be particularly oppressive. A committee was formed to collect grievances, and they gathered a great many accounts, still upon record, of cases of hardship and confiscation imposed upon the poor brethren for the support of the Standing Order. The General Court of Massachusetts and the Legislature of Connecticut were besieged with reports of wrongs inflicted in

behalf of the Orthodox Church and with petition for redress.

Down to the Revolutionary times the agitation was kept up with increasing force. When Samuel Adams was declaiming that taxation without representation is tyranny, Rev. Mr. Backus, chairman of the Baptist Committee on Grievances, wrote to him with characteristic keenness, "I fully concur with your grand maxim," and further, "I am bold in it, that taxes laid by the British Parliament upon America are not more contrary to civil freedom than these taxes are to the very nature of liberty of conscience."

During the Revolutionary War the agitation for religious liberty went on as occasion permitted. The laws, however, remained, although the rigor of their enforcement was largely abated. It had become a contest for a principle, not merely for the saving of money, and they were determined not to cease their efforts until the obnoxious laws were expunged from the statutes. Their field of influence widened and they had a great following. When the Constitution of the United States was under discussion they urged that the principle of soul liberty be inserted in that instrument. As it was originally adopted it contained only the provision, "No religious test shall ever be required as a qualification for any office of public trust under the United States." The vote in the convention was close and they had pretty nearly enough members of their way of thinking to turn the scale. The Constitution was finally adopted, but almost immediately twelve amendments were added, and

the first of these contained the desired provision, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof."

The question of any union of church and state under the general government was thus eliminated by the provision in the fundamental law, but New England still held to the ancient custom. Indeed it seemed even to some of the radical advocates of free institutions that it was a question of morals, and its abandonment a concession to the spirit of infidelity engendered by the French Revolution. The support of churches by taxation had been a part of English law from times long prior to the Reformation and to deprive them of such support seemed equivalent to the overthrow of religion. The payment of church rates came with none too much of good will and it did not seem possible that voluntary contribution could be obtained sufficient to keep churches alive.

The agitation was kept up and gained ground continually. New Hampshire had been a royal province and after the Revolution adopted a constitution. In this it was provided that no one should be taxed for the support of any other denomination than his own. This provision was so awkward to enforce that after a short time it became practically a dead letter and New Hampshire churches were obliged to learn that they could live and prosper without compulsory contributions.

Vermont was admitted to the Union in 1791, and in spite of opposition her constitution allowed taxation

for the support of churches. The tide of public sentiment, however, had set the other way and in 1807 all such statutes were repealed Church and state in Vermont were thus divorced, no more to be united.

Connecticut still adhered to the old ways, but the Baptists took the lead and others followed in an increasing warfare of resolutions, petitions and remonstrances. In spite of most strenuous opposition from the favored churches the new constitution adopted in 1818 contained a provision, drafted by a Baptist minister, which terminated the legal right of anyone to compel contributions for religious purposes.

Massachusetts then stood alone in maintaining the system of supporting religion by law, and her opposition to what she considered modern degeneracy was steadfast. Concessions were made to those who protested against church rates, but the statute was upheld. In 1820 a convention met for the purpose of revising the State Constitution. Daniel Webster was a member. A determined effort was made to eradicate the clauses which authorized assessments for religious purposes. Mr. Webster opposed. "He was content," he declared, "with the Constitution of Massachusetts as it was." The amendment failed, but a change of four votes would have given it a passage. Though defeated, the friends of the measure were not disheartened, and year after year the contest was continued.

The District of Maine became a separate state in 1820 and her constitution provided that all religious

societies "shall at all times have the exclusive right of electing their public teachers and contracting with them for their support and maintenance."

In 1833 the Massachusetts Legislature was induced to submit to popular vote a constitutional amendment of the form desired. It was ratified at the polls. The long warfare for full religious liberty was ended. The last stronghold had fallen. The old order had changed and had given place to new. Church and state were separate in New England. The Puritan idea of a commonwealth established and maintained in righteousness by inexorable law had vanished and in its place there stood the church in its various forms untrammelled, and with all the glorious possibilities of time and eternity before it,—and a secular and separate state whose duty it should be to keep secure for all its people life, liberty, and the pursuit of happiness.

THE OCCASION OF THE EXPULSION OF THE ACADIANS IN 1755

BY HENRY S. BURRAGE, D.D.

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Longfellow's Evangeline has awakened sympathetic interest in behalf of the French peasantry who were expelled from their homes in Nova Scotia in 1755. The poem was commenced late in 1846, and finished and published in 1847. How Longfellow became interested in this story is told by his brother in his biography of the poet. Hawthorne called one day at the Cragie House in Cambridge, and with him came a former rector of a church in South Boston, Mr. H. L. Conolly, who at dinner remarked that he had vainly endeavored to induce Hawthorne to write a story founded upon an incident in Nova Scotia history narrated to him by one of his parishioners, Mrs. Haliburton. "It was the story of a young Acadian maiden, who at the dispersion of her people by the English troops had been separated from her betrothed lover; they sought each other for years in their exile; and at last they met in a hospital where the lover lay dying." Mr. Longfellow was deeply impressed by the recital, and he said to Hawthorne, "If you really do not want this incident for a tale, let me have it for a poem." Hawthorne very readily, though secretly with regret it has been intimated, gave his consent,

and Longfellow, making himself familiar with such books concerning the expulsion of the Acadians as were at his command, entered at once upon the pleasing task of writing this "tale of love in Arcadie." In his reading, he seems to have made no inquiry with reference to the right or wrong of the expulsion of the Acadians. That task he left to the historian. He did not even visit Grand Pré and the scenes which he so beautifully and truthfully describes in his charming poem. Accepting unquestioned the story of the expulsion as he found it in the books he had gathered about him in his library, he busied himself only with his task, using his art like those painters who "soften the features and clean the faces of the Italian peasant boys they put on their canvas."

Ten years after the publication of Evangeline, however, the House of Assembly of Nova Scotia adopted measures for making a collection of the ancient records and documents illustrative of the history and progress of society in that province. In 1864, the work had so far advanced that upwards of two hundred volumes of manuscripts had been arranged, bound and catalogued. From this collection all the documents that could in any way throw light on the history and conduct of the Acadians of Nova Scotia from their first coming under British rule until their final removal from the country were brought together and published in 1869. Since that time the materials for an intelligent judgment with reference to the expulsion of the Acadians have been accessible, and it is the purpose of this paper to review the facts

contained in these documents, giving them their proper historical setting.

De Mont, with a party of Frenchmen including a few Jesuits, commenced the settlement of Nova Scotia in 1604; but not long after, the colonists in Virginia, claiming the country, drove the French away. In 1621, Sir William Alexander of Scotland received from James I. a grant of the peninsula, which in the patent is designated Nova Scotia. His attempts to settle the country were not successful, and at length he disposed of all his rights and interests to the French, who held the country until 1654, when by a force sent by Cromwell, they were again compelled to relinquish their hold upon the country. By the treaty of Breda, in 1667, Nova Scotia was ceded to France. From time to time, however, the English returned, and in 1710 an expedition was organized for the capture of Port Royal, now Annapolis, the chief stronghold of the French in Nova Scotia. This was successful, and the French commander at Port Royal, Subercase, surrendered the post October 2, to Colonel Francis Nicholson, who in the following year organized an unsuccessful expedition against Canada, the attack on Port Royal evidently being a part of a general plan for the destruction of French power in North America. By the fifth article of the capitulation of Port Royal it was declared that "the inhabitants within a cannon shot of Port Royal should remain upon their estates, with their corn, cattle, and furniture, during two years, in case they should not be desirous to go before, they taking the oath of allegiance

and fidelity to her sacred majesty of Great Britain." This limit of a cannon shot was declared by Colonel Nicholson to extend three English miles around the fort. By the treaty of Utrecht, which was concluded in 1713, the whole of Nova Scotia was ceded to Great Britain. The fourteenth article of the treaty provided "that in all the said places and colonies to be yielded and restored by the most Christian King in pursuance of this treaty, the subjects of the said king may have liberty to remove themselves within a year to any other place, as they shall think fit, together with all their movable effects. But those who are willing to remain there, and to be subject to the kingdom of Great Britain, are to enjoy the free exercise of their religion according to the usage of the church of Rome as far as the laws of Great Britain do allow the same." The name of Port Royal was changed to Annapolis in honor of Anne, the English queen, and a letter of Queen Anne's extended the rights guaranteed to the French by the capitulation of 1710 to all the inhabitants of Nova Scotia without limitation of time in accordance with the provisions of the treaty.

But, in surrendering Nova Scotia to Great Britain, France did not yield her purposes with reference to this continent. She was in control of the valley of the St. Lawrence, with strongholds at Quebec and Montreal, and by a series of trading posts and forts beyond, her troops and subjects held the country along the water ways from Lake Erie to the mouth of the Mississippi. Moreover, she was in harmonious relations with the Indians in this wide extent of country

and had made them her firm allies. The territory occupied by Great Britain, on the other hand, was the narrow strip of country east of the Alleghany mountains; and though the British claimed territory west of that range, the fact remains that when the treaty of Utrecht was concluded, and for some time afterward, Great Britain had not a single settlement beyond the Atlantic slope.

In relinquishing Nova Scotia, France withdrew no farther than the island of Cape Breton, which became a French province and received the name Isle Royale. Louisburg, on the south side of the island and at one of its best harbors, was made the capital of the province, and with its fortress, which was erected at great expense, became a standing menace and a source of irritation to the British colonists along the whole Atlantic seaboard.

The removal of the Acadians to Cape Breton, when Nova Scotia became British soil, was encouraged by the French king for obvious reasons. In the summer of 1714, the French governor at Isle Royale sent commissioners to Annapolis to make arrangements for the removal of such of the Acadians as wished to remain subjects of France. On their arrival, the British commander called the people on the river together in order to ascertain whether they wished to remain in the province or to leave. When they were assembled the commissioners made known to them the proposal of the King of France in case they decided to settle on French territory, viz., that he would furnish transportation for them, their families

and their goods, give them lands on which to settle, furnish them with a year's provision and exempt them from duties of any kind for a period of ten years. These liberal provisions were accepted, and they signed this declaration: "On this day, the fête of St. Louis, in the year 1714, we with all the joy and satisfaction of which we are capable, give, by this writing, signed by us, everlasting proof that we wish to live and die faithful subjects of his Most Christian Majesty, and we pledge ourselves to go to Isle Royale and settle there, ourselves and our offspring." The inhabitants of Minas and Cobequid signed a similar paper. The number of signers at the three settlements was more than three hundred, all heads of families, and with insignificant exceptions included all the settlers, amounting to fifteen hundred souls, counting five to a family.

The provision of the treaty of Utrecht that the inhabitants of Acadia, who chose to remain subjects of the French king, should have a year in which to remove was construed to mean a year from the time the decision was made, and in this the governor at Annapolis agreed. A few of the Acadians accompanied the commissioners on their return to Louisburg, and in the following summer a few others removed to Isle Royale. But when the year of grace closed, the greater number of the Acadians were still on their Nova Scotian farms, the French king having failed in his promise to send transports for their removal.

Meanwhile Queen Anne in 1714 had died, and King George I. had come to the throne. All the inhabitants of Nova Scotia, English and French alike, were now required to take the oath of allegiance to the new monarch. The Acadians expressed a willingness to take an oath to this effect, that they would do nothing averse to the king's interests, and would engage in no service with the king's enemies, savages or others, so long as they remained in the province, and such an oath was taken by them January 13, 1715.

But the Acadians did not leave the province, and it soon became evident that they intended to remain. In 1717, John Doucette, who had succeeded Thomas Caulfield as lieutenant-governor at Annapolis, again summoned the inhabitants to take the oath of allegiance to the British king. In their reply, the Acadians at Annapolis requested the lieutenant-governor to assemble the deputies of Minas, Beaubassin and Cobequid, as well as themselves. Meanwhile, they said, they were ready to carry into effect the demand laid upon them as soon as some means should be provided of defending them from the Indians, of whom as they claimed they stood in constant dread. "Unless we are protected from these savages," they said, "we cannot take the oath demanded of us without exposing ourselves to have our throats cut in our houses at any time which they have already threatened to do. In case other means cannot be found, we are ready to take an oath that we will take up arms neither against his Britanic Majesty, nor

against France, nor against any of their subjects or allies."

Doucette, in his report to the Secretary of State in London, said that this fear of the Indians on the part of the Acadians was mere pretence, inasmuch as the Indians were "entirely ruled by the French, and are used by them in no other manner but like slaves," and he attributed this statement of their attitude in this matter to the priests among them, who, he says, have inculcated "a notion amongst the French inhabitants, that the Pretender will be soon settled in England and that this country will again fall into the hands of the French king." In this view Doucette is sustained by a letter written to the French governor at Placentia, Newfoundland, by Father Felix Pain at Minas, the same year the treaty of Utrecht was signed: "We shall answer for ourselves and for the absent," he said, "that we will never take the oath of fidelity to the queen of Great Britain, to the prejudice of what we owe to our king, to our country and to our religion, and that if any attempt were made against one or other of these two articles of our fidelity, that is to say, as to our king or to our law, that in that case we are ready to quit all rather than violate in the least one or other of these articles."

But while the Acadians declared their inability to take the oath demanded of them, without incurring the hatred of the savages, they at the same time made known their willingness to take a modified oath of neutrality. But Doucette seems to have allowed

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 13.

matters to rest without additional pressure on his part.

August 17, 1717, Richard Philipps was made governor of Nova Scotia. While at Boston, January 3, 1719, and before proceeding to Annapolis it would seem, he wrote to the Board of Trade in London expressing his satisfaction with the efforts which some of its members had made at the court of France to settle existing differences; but so far as Nova Scotia was concerned, he said, things would not be any better in his opinion so long as the priests and Jesuits remained in the country. "It is not to be imagined," he added, "with what application they encourage the French and Indians against submitting to his Majesty's government, and even their sermons are constant invectives against the English nation, to render it odious to the natives. Amongst this tribe are Pere Vincent and Felix, who distinguished themselves for most inveterate enemies to the British interest, and preside in the quality of governors over Minas and Chignecto, two most considerable settlements in Nova Scotia. The people pay them a willing obedience and are grown so insolent as to say they will neither swear allegiance nor leave the country."[1]

After his arrival at Annapolis, Governor Philipps issued an address to the inhabitants of Minas, Chignecto and Annapolis River, directing them to send representatives to confer with him in reference to taking the oath of allegiance. He also wrote a letter

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 16, 17.

to Father Justinian, the priest at Annapolis River, ordering him to read the address to his congregation and afterward to affix it to the chapel door that all might have knowledge of its contents. Father Justinian, in his reply to the governor, said, "the people were not at liberty to swear allegiance because that in General Nicholson's time they had set their hands unanimously to an obligation of continuing subjects of France and retiring to Cape Breton, and for another reason, that they were sure of having their throats cut by the Indians whenever they became Englishmen."[1]

The letter of General Philipps to Father Justinian was dated April 20, 1720. Father Justinian hastened to Louisburg bearing a letter dated May 6, 1720, addressed to M. St. Ovide, governor of Isle Royale, requesting his advice and assistance in the matter of the summons from General Philipps requiring them to take the oath of allegiance to the king of England. There can be little doubt, it is believed, but that this letter was written by Father Justinian himself. In it there was not a hint of any dread of Indians on the part of the Acadians in case they should take the oath of allegiance. The Acadians were only anxious to find in some way an opportunity for remaining in the country without renouncing their allegiance to the French king. "We have up to the present time," says this letter, "preserved the purest sentiment of fidelity to our invincible monarch. The time has arrived when we need his royal protection and

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 31.

assistance." Asserting a purpose to be "faithful to our prince and our religion," the writers signed themselves "most faithful subjects of his majesty and of yourself in particular."

Governor Philipps soon heard of the departure of Father Justinian for Isle Royale, and May 14, he addressed a letter to the governor of Cape Breton, charging the Acadians with inciting the Indians to assert their native rights to the country, and refusing quiet submission to the British government, regarding themselves under the instruction of their priests, as subjects of France; and he asks M. St. Ovide to use his influence to secure the peace and tranquility of the two countries.

While this correspondence was in progress, the Acadians still declined to take the required oath. Writing to one of the principal secretaries of state in London, July 20, Governor Philipps said the French seemed undetermined to which party to give their allegiance, but he thought that if they were left to themselves they would become subjects of Great Britain. The neighboring French governors, however, were making use of all possible means to retain their hold upon them. Especially, he says, was use made of the priests, who told the people that "the promise made them of enjoying their religion is but a chimera, and what they must not depend on, for they will quickly be reduced to the same state with his Majesty's popish subjects in Ireland and their priests denied them." Governor Philipps said he endeavored to undeceive them, but he scarcely hoped

to find more credit with them than did their priests. Writing to Secretary Craggs September 26, 1720, the governor said: "The inhabitants seemed determined not to sware allegiance," but were continuing "their tillage and building as if they had no thoughts of leaving their habitations." On the following day the governor and members of the council, assembled to consult with reference to the condition of affairs in the province, and to propose some method of establishing the authority of the king, called attention to the fact "that the French inhabitants do persist in refusing to take the oath of allegiance to the crown of Great Britain, and look upon themselves as the indispensable liege subjects of France by the engagements they have laid themselves under, and from which their priests tell them they cannot be absolved." In the opinion of the governor and council the Acadians had no thought of leaving the country, and in their view added troops were needed to keep them in order if they remained or to compel them to depart on the terms prescribed.

Governor Philipps returned to England in 1724, and was succeeded in the government of the province by Lieutenant-Governor Armstrong, who was equally unsuccessful in obtaining from the Acadians a subscription to the oath of allegiance. "They are resolved to quit the province rather than take it," he wrote to the Secretary of State, July 27, 1726. He succeeded, however, in obtaining that year from some of the inhabitants of Annapolis River a modified form of the oath, releasing them from any obligation to

serve in the English army in case of war; but the Acadians in the other settlements remained firm in their determination not to take the oath, though the lieutenant-governor warned them of the consequences of such disrespect and disobedience that would be likely to follow.

George I. died June 10, 1727. When the tidings reached Annapolis, Lieutenant-Governor Armstrong, as duty required, summoned the people to take the oath of allegiance to the new monarch, George II. But the whole body of the people, "almost to a man" is the language of the lieutenant-governor, refused to subscribe to the oath which was tendered to them.

Governor Philipps returned to Annapolis in 1729, and at once entered upon the work of securing the submission of the Acadians to British rule and authority. In a letter addressed to the Duke of Newcastle January 3, 1729, he reported that he had succeeded in obtaining subscription to the oath from every inhabitant of Annapolis River "to a man from sixteen years of age and upwards. . . I have had no occasion," he added, "to make use of threats or compulsion, nor have I prostituted the king's honor in making a scandalous capitulation in his name and contrary to his Majesty's express orders as has been done by one Ensign Wroth of my regiment."[1] The reference to Ensign Wroth has this significance. When tidings of the death of George I. were received, Wroth was sent to various parts of the province to proclaim the new sovereign and to administer the

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 83.

usual oath of allegiance. The Acadians to whom he was sent, however, refused to take the oath unless a provision should be coupled with it that they should not be compelled to bear arms against any one. Wroth acceded to this demand, and allowed the people to take this modified oath. When, however, he reported to the lieutenant-governor what he had done, he was informed by the council that he had exceeded his instructions and his action in the proceedings was cancelled.

After obtaining the subscription of the people of Annapolis River, Governor Philipps proceeded up the Bay of Fundy, and received the submission of the rest of the people, also of the Indians, securing as he believed the peace of the country, with a prospect of its continuance as long as the union between the British and French subsisted.[1] But the Lords of Trade were not pleased with this action of Governor Philipps. The oath to which he had secured subscription was as follows:

Je promets et je jure sincèrement, en foi de Chrêtien que je serai entierément fidêle, et obeirai vraiment Sa Majestè Le Roi, Geo. II., &c.

I promise and I swear sincerely, on the faith of a Christian, that I will be entirely faithful, and will truly obey his Majesty, King George II., &c.

But the Lords of Trade seem to have been more familiar with the French language than Governor Philipps. The oath as administered seemed "intended," wrote the secretary, "to have been a translation of the English oath of allegiance, but the

[1] See his letter to the Duke of Newcastle dated September 2, 1730. Selections from the Public Documents of the Province of Nova Scotia, p. 87.

different idiom of the two languages has given it another turn, for the particle 'to' in the English oath being omitted in the French translation, it stands a simple promise of fidelity without saying to whom, for as the word 'fidele' can only refer to a dative case and 'obeirai' governs an accusative, King George has not a proper security given to him by the first part of the oath, and it is to be feared that the French Jesuits may explain this ambiguity so as to convince the people upon occasion that they are not under any obligation to be faithful to his Majesty."[1]

Governor Philipps was recalled not long after, and was succeeded by Lieutenant-Governor Armstrong, lieutenant-colonel of Philipps' regiment, who conducted the affairs of the province until his death in 1739, Governor Philipps being in England.

Paul Mascarene, major of Philipps' regiment, who had been a member of the board of councillors, was made lieutenant-governor of Annapolis in 1740, and became administrator of the government, holding the office until the arrival of Governor Cornwallis in 1749. Mascarene, a son of a French Huguenot but educated in England, entered upon his duties with a purpose to administer impartial justice to the French inhabitants of the province, treating them with lenity and humanity, while never losing sight of the government which he sought to serve. Writing at Annapolis, November 15, 1740, to the Secretary of State, he said: "The increase of the French

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 84, 85.

inhabitants calls for some fresh instructions how to dispose of them. They have divided and sub-divided amongst their children, the lands they were in possession of, and which his Majesty was graciously pleased to allow to them on their taking the oaths of allegiance, and now they apply for new grants, which the governor and late lieutenant-governor did not think themselves authorized to favor them with, as his Majesty's instructions on that head prescribe the grant of unappropriated lands to Protestant subjects only. This delay has occasioned several of these inhabitants to settle themselves on some of the skirts of this province, pretty far distant from this place, notwithstanding proclamations and orders to the contrary have been often repeated, and it has not been thought advisable hitherto to dispossess them by force, for the reason, I presume, set down in the above article. If they are debarred from new possessions, they must live here miserably and consequently be troublesome, or else they will continue to possess themselves of new tracts contrary to orders, or they must be made to withdraw to the neighboring French colonies of Cape Breton or Canada."[1]

Like his predecessors, Mascarene found it necessary to keep a watchful eye upon the French priests. He informed them that so long as they showed a proper respect for the government they would not be hindered in any way in the administration of their spiritual functions; but they were made to understand

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 108, 109.

just as plainly that any endeavors on their part to set at nought the authority of the king of Great Britain would incur the just displeasure of the government and bring irretrievable ruin on the French colonists. Writing to the bishop of Quebec, December 2, 1742, Governor Mascarene said: "Some of the missionaries of the Romish church who have come into this government have caused a great deal of trouble by endeavoring to establish a power which is not recognized in the dominions of the king of Great Britain and which is repugnant to our laws;" and he proceeds to mention certain regulations that have been adopted with reference to such missionary priests, and he notifies the bishop that those priests who fail to observe the requirements of these regulations, and so fail of giving an example of obedience to the government, will be ordered to leave the province. These regulations were as follows:

"Whereas the said priests have of their own accord resorted hither without acknowledging his Majesty's sovereignty and jurisdiction in and over this his said province or paying the least respect or obedience to this his Majesty's government and have been guilty of sedition and treachery as in particular Charlemaine, Ignace, &c., preferring the authority by which they pretend to be sent to that of his Britanic Majesty which they have so frequently despised, Ordered that no priest shall be permitted into this his Majesty's province but by and with the advice, consent and approbation first asked and obtained from his Majesty's government. That if at any time the inhabitants belonging to any of the parishes shall want a priest on account of a vacancy they shall be obliged first to petition this his Majesty's government for leave to have one and upon such leave obtained to apply where they please for a priest. That upon the priest's coming into this province by virtue of the leave obtained by the inhabitants, he shall before he exercise any part of his priestly function present himself to the Governor or Commander-in-Chief and his Majesty's Council for admittance

or approbation. That in any case any of them thus admitted shall at any time behave themselves irregularly and with contempt and disrespect to the rules and orders of this his Majesty's province while they are in it, they may expect to be dismissed the same."[1]

Early in 1744, France declared war against Great Britain and Great Britain responded with a like declaration. The French at Isle Royale, who received early tidings of the outbreak of the war, at once dispatched a force into Nova Scotia, destroyed the fort at Canseau and sent the garrison to Louisburg. As soon as Governor Mascarene was made aware of the new condition of affairs, he commenced to strengthen the fort at Annapolis. French settlers in the vicinity of the fort were employed in this work, but in July, on the approach of a party of French and Indians to the number of about three hundred, they left their tasks and would render no further assistance. Mascarene had made application for reinforcements to the governor of Massachusetts, and on their arrival the French and Indians retired to Minas. Receiving reinforcements, however, they returned. But meanwhile Mascarene had been still further reinforced from Massachusetts, and writing to the Lords of Trade September 20, 1744, he said: "We live in hopes we shall have the seasonable protection of some of his Majesty's ships of war with a reinforcement of troops of a superior force, which is herewith recommended."

The purpose of the French in this movement is set forth in an order issued by the commander of the

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 124, 125.

invading force. The order is dated Grand Pre, August 27, 1744, and is as follows:

"The inhabitants of Minas, comprising the parishes of Grand Pré, River Canard, Piziquid and Cobequid are ordered to acknowledge the obedience they owe to the King of France, and in consequence the said parishes are called upon for the following supplies: that of Grand Pré, eight horses and two men to drive them; that of the River Canard, eight horses and two men to drive them; and that of Piziquid, twelve horses and three men to drive them; as also the powder horns possessed by the said inhabitants, one only being reserved for each house. The whole of the above must be brought to me at ten o'clock on Saturday morning at the French flag which I have had hoisted, and under which the deputies from each of the said parishes shall be assembled, to pledge fidelity for themselves and all the inhabitants of the neighborhood who shall not be called away from the labors of the harvest. All those for whom the pledge of fidelity shall be given will be held fully responsible for said pledge, and those who contravene the present order shall be punished as rebellious subjects, and delivered into the hands of the savages as enemies of the state, as we cannot refuse the demand which the savages make for all those who will not submit themselves."[1]

Notwithstanding this appeal, the Acadians for the most part decided to remain neutral, and after their attempts to take the fort at Annapolis, the French commander in December withdrew his force and returned to Louisburg. But it was evident that the French would not cease their efforts because of their lack of success thus far; and the New England colonists, filled with alarm on account of their exposed position, determined to carry the war into the enemy's territory and assail its stronghold at Louisburg. William Pepperrell of Kittery was placed in command of the expedition. Men flocked to his standard with great enthusiasm. Whitefield, the great revival

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 134.

preacher, then in New England, furnished the motto for the expedition, *Nil desperandum Christo duce.* The result is well known. The merchant commander with his farmers and fishermen, his artisans and storekeepers, proved more than a match for the trained veterans of France, and compelled the surrender of what was regarded as an impregnable fortress, upon the construction of which more than six millions of dollars had been expended.

Instead of being a menace to the New England colonists, Louisburg now became an important outpost in their defence against French encroachments. But in 1748, in the arrangement of articles of peace between the two countries, the British king restored Cape Breton and its stronghold at Louisburg to the French. The disgust of the colonists, and especially of those who had brought about the capture of Louisburg, can easily be imagined. But the deed had been done. How could the dangers that now again threatened the colonists be averted? The British ministry turned its attention to this problem. Half-way between Canseau and Cape Sable was the fine harbor of Chebuctou. Into it in July, 1749, sailed Edward Cornwallis, captain-general and governor-in-chief of Acadia, with over four thousand people, whom he had brought from England to establish at this point a British stronghold, since known as Halifax. Work upon the fortifications was commenced at once. A road also was constructed from Halifax to the Basin of Minas, connecting this British stronghold

on the coast with the French settlements in the interior.

July 14, 1749, shortly after his arrival, Cornwallis addressed a communication to the Acadians informing them of the purpose of the government to introduce English settlers into the province, reminding them that some of their number had not been loyal to British interests, and offering them a continuance of the free exercise of their religion and peaceable possession of their lands, provided that within three months from the date of this declaration they take the oaths of allegiance appointed to be taken by the laws of Great Britain and submit to such rules and orders as may hereafter be thought proper for the maintenance and support of his Majesty's government.[1]

The Acadians, a thousand of them signing the document, replied through their deputies that the proposed oath, a form of which had been submitted to them, would expose their lives to great peril from the Indians, but that they were willing to take the oath administered by Governor Philipps, with the understanding that they would be exempt from taking up arms against the French. If this could not be granted, they said, they were resolved, every one, to leave the country.

Governor Cornwallis replied that the Acadians seemed to think themselves independent of any government, while the fact was that from the end of the year stipulated in the treaty of Utrecht for the

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 164.

evacuation of the country they had been subjects of the king of Great Britain. The treaty declared them such, and it would be contrary to common sense to suppose that one could remain in a province and possess houses and lands there, without being subject to the sovereign of that province. It only remained for them, therefore, to take the oath of allegiance without any reservation. "You tell me," said the governor, "that General Philipps granted you the reservation which you demand; and I tell you gentlemen, that the general who granted you such reservations, did not do his duty. I tell you further, gentlemen, that this oath has never in the slightest degree lessened your obligations to act always and in all circumstances, as a subject ought to act, according to the laws of God and of your King."

Especially active in opposition to British interests in Nova Scotia was Louis Joseph De la Loutre, a Jesuit missionary, who came to Canada in 1737. Making his way to Acadia, he became the correspondent of the French governor at Quebec, and was furnished with arms and money by the French government for distribution among the Indians and Acadian French. He held the office of vicar general of Acadia, under the bishop of Quebec, but a copy of a letter has been preserved in which the bishop remonstrates with Le Loutre,[1] on his departure from his clerical functions. On the establishment of the British at Halifax Le Loutre busied himself actively

[1] His name in full was Louis Joseph De la Loutre, but in the Public Documents of the Province of Nova Scotia he is called Le Loutre.

in inciting the Indians to hostility, and early in 1749 Governor Cornwallis ordered his arrest and also the arrest of the inhabitants at Chignecto as hostages. But the governor's plans miscarried. Writing to the Duke of Bedford, March 19, 1749, Governor Cornwallis, after a full statement of what he had done, closed his letter in these words:

"If the French inhabitants remain in this province, I shall desire above all things, that some method may be found of supplying them with priests from Germany or Italy. The French missionaries, paid by France, will do everything in their power to alienate the minds of the people."[1]

Petitions came in from Acadians in some of the districts asking leave to withdraw from the province. To these the governor made reply that as soon as tranquility was restored he would give passports to all who asked for them. How strongly the British government desired to retain the Acadians in the country, however, appears in a letter of the Lords of Trade to Governor Cornwallis dated March 22, 1750, approving of his action with reference to the petition for withdrawal. "We are extremely glad to hear," say the Lords, "that so few of the better sort of those inhabitants have withdrawn themselves, and have no doubt but that if you shall be able to prevent their abandoning their settlements just at this time, when the French are particularly industrious to draw them off from their allegiance to the crown of Great Britain, and the province is contending against all the disadvantages to which a new and disputed settlement can be exposed, you will be able hereafter by a good

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 184.

correspondence with them and making them feel the advantages of the settlement to remove their prejudices and firmly unite them to the British interest."[1]

Governor Cornwallis returned to England in the summer of 1752, and was succeeded by Peregrine Thomas Hopson, who in August of that year, and in a letter from Halifax, December 10, 1752, addressed to the home government, expressed in the strongest terms the desirability of retaining the Acadians in the country. He said:

"Mr. Cornwallis can inform your Lordships how useful and necessary these people are to us, how impossible it is to do without them, or to replace them even if we had other settlers to put in their places, and at the same time will acquaint you how obstinate they have always been when the oaths have been offered."

And he gave the following order to his officers at Minas and Piziquid:

"You are to look on the French inhabitants in the same light with the rest of his Majesty's subjects, as to the protection of the laws and government, for which reason nothing is to be taken from them by force, or any price set upon their goods but what they themselves agree to; and if at any time the inhabitants should obstinately refuse to comply with what his majesty's service may require of them, you are not to redress yourselves by military force, or in any unlawful manner, but to lay the case before the governor and await his orders thereon."[2]

But Governor Hopson found the same difficulties in his way that his predecessors had found. French priests, especially the Abbe Le Loutre, were active in prejudicing the Acadians against the English government, saying[3] that the province would within a

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 196.

[2] Selections from the Public Documents of the Province of Nova Scotia, pp. 197, 198.

[3] Selections from the Public Documents of the Province of Nova Scotia, p. 199.

short time fall into the hands of the French by negotiation or force of arms. In this, the governor affirmed that the priests were openly abetted and "supported by the governors of Canada and Louisburg."

About this time some of the Acadians who had withdrawn from their lands at Chignecto returned, and offered to take the following oath: "I sincerely promise and swear that I will be faithful to his majesty, King George II. and to his successors. So help me God." But certain "articles" were added, first that they should be exempt from taking up arms against the "English, French, savages or people of any other nation"; second that they should be free to withdraw whenever they pleased and to carry away or sell their property; third that they should have the full enjoyment of their religion and as many priests as shall be thought necessary, "without any oath of allegiance being required of them"; and fourth that the lands occupied by the English should be restored to those to whom they formerly belonged. The council substituted its own form of an oath and offered those who proposed to return "peaceable and quiet possession of their lands at Chignecto with a reservation for military purposes, together with the free exercise of their religion and a sufficient number of priests, with all the privileges granted by the treaty of Utrecht."[1]

Governor Hopson returned to England and Lieutenant-Colonel Charles Lawrence was appointed

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 204, 205.

lieutenant-governor of the province in the summer of 1754. He had been in the country quite a number of years, and was familiar with the problems with which his predecessors had been compelled to busy themselves. When Louisburg was captured by Pepperrell in 1745, it was Lawrence with his regiment who occupied the place. When Louisburg was restored to the French in 1748, Lawrence withdrew to Halifax. In 1750, he was sent by Cornwallis to Beaubassin to quell some disturbances there. He had seen the French under the inspiration of Le Loutre build a new fort on the shore at Bay Verte and strengthen the fort at Beau Sejour. He had seen assembling at these places such Acadians as Le Loutre, by appeals he knew well how to make, could induce to leave their homes and take up arms in the interest of New France. August 1, 1754, Colonel Lawrence addressed a letter to the home government in which referring to the attitude of the Acadians toward the British he said:

"They have not for a long time brought anything to our markets; but on the other hand they have carried everything to the French and Indians whom they have always assisted with provisions, quarters and intelligence, and indeed while they remain without taking the oaths to his Majesty (which they never will do till they are forced) and have incendiary French priests among them, there are no hopes of their amendment. As they possess the best and largest tracts of land in this province, it cannot be settled with any effect while they remain in this situation, and though I would be very far from attempting such a step without your Lordship's approbation, yet I cannot help being of the opinion that it would be much better, if they refuse the oaths, that they were away."[1]

This is the first clear, unmistakable word in the documents concerning the banishment of the

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 213.

Acadians. Manifestly among the English officers in the province, and among the civil and military officers in New England, especially in Massachusetts, opinion had been shaping itself in this direction for some time. A decisive blow, it was held, must be struck. With the aid of the mother country, the colonists had already commenced a determined effort to check, if not to destroy, French dominion on this continent. War, it is true, had not been formally declared against France; but four expeditions, in 1755, were organized with this end in view. General Braddock, with a force of regulars and provincials, had Fort Duquesne on the Ohio as his objective; Governor Shirley of Massachusetts was to lead an expedition against Niagara and Frontenac on Lake Ontario; Sir William Johnson, with a large force of New England troops, was to assail the French at Crown Point; while Colonel Winslow, with Massachusetts troops and in connection with British troops in Nova Scotia, was to give attention to the French menacing colonial interests along the northeastern frontier. It was a grievous disappointment to the New England colonists that in the treaty of Aix la Chapelle Louisburg had been restored to the French. In the movement now contemplated that error was to be retrieved. Governor Shirley of Massachusetts was active in its preparation. Governor Lawrence wrote to Governor Shirley, November 5, 1754: "Being well informed that the French have designs of encroaching still further upon his Majesty's rights in this province, and that they purpose the moment they have repaired

the fortifications of Louisburg to attack our fort at Chignecto, I think it high time to make some effort to drive them from the north side of the Bay of Fundy"; and he asked Governor Shirley for two thousand men. In a lengthy letter to the British ministry, dated November 11, 1754, Governor Shirley wrote:

"If Nova Scotia should be lost by any sudden blow, the eastern parts of the province of Massachusetts Bay, and the whole province of New Hampshire (within which tracts of territory are included the woods from whence the Royal Navy is now supplied with masts, yards and bowsprits) together with the rivers of St. John's, Pentagoet and Kennebec, and all the seacoast as far as Merrimac river with the whole fishery to the westward of Newfoundland must soon fall into the possession of the French most likely in the same spring and if they should hold these acquisitions together with Canada and Louisburg that they would then have it in their power to assemble and support a very large body of regular troops in these parts (which they cannot possibly do long at present) and by the situation of their new seacoast abounding with most commodious harbors for the largest ships of war, perhaps be able to dispute the mastery of the eastern part of the Atlantic Ocean with the British navy." [1]

In this statement Governor Shirley reflected the general opinion in New England. The Massachusetts troops raised for service in Nova Scotia were placed under the command of Colonel John Winslow, a great-grandson of Governor Edward Winslow of Plymouth. In the previous year he had commanded the expedition having in charge the construction of Fort Halifax at the junction of the Kennebec and Sebasticook rivers, designed to prevent French encroachments from the north. With the two thousand troops enlisted for the present movement, Colonel Winslow

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 387.

sailing from Boston May 23, 1755, reached Fort Lawrence early in June with a detachment of regulars from Halifax under Colonel Monckton, and began the siege of Beau Sejour. The contest was a short one.[1] The fort was surrendered June 16, and among the prisoners were more than three hundred French Acadians, who were thus found in arms against the British king. Le Loutre was in the fort when the assault was made, but he succeeded in making his escape during the siege, and while on his way to France was captured and taken as a prisoner to England where he remained eight years in a castle on the Isle of Jersey.

The victory at Beau Sejour was followed by tidings of Braddock's defeat. Governor Shirley had interested himself in the movement against the French beyond the Alleghanies and had visited General Braddock at Alexandria before he set out on his ill-fated expedition. In a letter to Governor Lawrence, written the latter part of July, Lieutenant-Governor Phips of Massachusetts, in the absence of Governor Shirley,[2] referred to Braddock's defeat as a "heavier stroke than ever the English upon this continent have met before," and he raised the question "whether the danger with which his majesty's interest is now threatened will not remove any scruples which may heretofore have subsisted with regard to the French

[1] Among the wounded in the assault on the fort was "Major Preble of the irregulars." This was Major Jedediah Preble of Falmouth, and with him doubtless were Maine volunteers.

[2] Governor Shirley at this time was leading an expedition against the French at Niagara.

neutrals, as they are termed, and render it both just and necessary that they should be removed unless some more effectual security can be given for their fidelity than the common obligation of an oath, for by the principles of their religion this may easily be dispensed with." [1]

June 10, 1755, just before the surrender of Beau Sejour, the deputies and a number of the French inhabitants of Minas, Canard and Piziquid addressed Governor Lawrence in a communication complaining of certain restrictions imposed upon them to prevent them from sending their corn and other provisions out of the province to the neighboring French, and of otherwise rendering assistance to them. To this communication, the council, having summoned the signers to appear before them, made a sharp reply, informing them that if they were sincere in their professions they could prove it by immediately taking the oath of allegiance in the usual form. They asked for time in which to consult the body of the people. When they were told that they must make the declaration for themselves then and there, they retired for consultation in private. After a while they returned, saying they could not consent to take the oath as prescribed without consulting the general body, but that they were ready to take it as they had done before. They were then given until the next morning in which to make answer. When, the next morning, they declared their adherence to their decision of the day before, they were told that the council

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 410.

could no longer regard them as British subjects, but as subjects of the king of France, and that measures would be taken to send "all such recusants out of the province." At this announcement they declared their willingness to take the oath, but they were informed that an act of Parliament did not allow persons who had once refused to take the oath to do so afterward.

The French inhabitants of Annapolis River sent a memorial to the council a few days later, and subsequently deputies appeared. When they were informed "that affairs in America were now at such a crisis" that they could not be allowed to remain in the country without becoming British subjects to all intents and purposes, they declared their purpose to quit their lands rather than take any other oath than that which they had taken.

A British fleet was now on the coast, and Governor Lawrence had been instructed by the King to consult with the commander-in-chief of the fleet in any emergency that might arise. The situation was such that Governor Lawrence deemed it wise to seek counsel, and Admiral Boscawen and Rear-Admiral Mostyn met the council. Both of the admirals approved of the course the council had taken in regard to the Acadians, and gave it as their opinion "that it was now the properest time to oblige the said inhabitants to take the oath of allegiance to his Majesty, or to quit the country." [1]

At a meeting of the council held at the governor's

[1] Selections from the Public Documents of the Province of Nova Scotia, p. 258.

house in Halifax, July 28, 1755, "after mature consideration, it was unanimously agreed that to prevent as much as possible" the Acadians from "attempting to return and molest the settlers that may be set down on their lands, it would be most proper to send them to be distributed amongst the several colonies on the continent, and that a sufficient number of vessels should be hired with all possible expedition for that purpose."

To Colonel Winslow, with his Massachusetts troops, was assigned the duty of removing the Acadians at Grand Pré and the neighboring settlements. He received his instructions August 11, four days after the confirmation of the tidings of Braddock's defeat reached Halifax; and on the 16th he embarked his force at Chignecto for Grand Pré. He was informed that the people of this region were to be sent to Maryland, Virginia and North Carolina. In the removal he was to use fair means if possible, but "if you find that fair means will not do with them," were his instructions, "you must proceed by the most vigorous measures possible not only in compelling them to embark but in depriving those who shall escape of all means of shelter or support by burning their houses and destroying everything that may afford them the means of subsistence in the country."[1] Attention to these instructions was "disagreeable business" to Colonel Winslow. "Things are now very heavy on my heart and hands," he wrote to a brother officer

[1] Journal of Colonel John Winslow, in Collections of the Nova Scotia Historical Society, Vol. III., p. 80.

while he was at Grand Pré.[1] In another letter he made reference to this "troublesome affair, which is more grievous to me than any service I was ever employed in."[2] Plainly the task assigned to him was not a pleasing one. His words to the imprisoned Acadians in the church at Grand Pré, which Longfellow, in his "Evangeline," puts into his lips are in harmony with what we know of his feelings at the time as recorded in his journal:

"You are convened this day," he said, "by his Majesty's orders.
Clement and kind has he been, but how you have answered his kindness
Let your own hearts reply. To my natural make and my temper
Painful the task is I do, which to you I know must be grievous.
Yet must I bow and obey, and deliver the will of our monarch:
Namely, that all your lands, and dwellings, and cattle of all kinds
Forfeited be to the crown; and that you yourselves from this province
Be transported to other lands."

But while the duty assigned to Colonel Winslow was a very disagreeable one, he not only did not shrink from it, but gave it his approval, regarding it as a military necessity. The removal of the Acadians in his view, and in the view of his associates, was a war measure. Such measures oftentimes are necessarily severe. Indeed not unfrequently they are more severe than they would be if all the facts were known, or if the end could clearly be seen from the beginning. It was so in the deportation of the Acadians, which took place almost at the opening of the French and Indian War; at a time when Braddock's defeat had greatly embittered the English colonists in North

[1] Journal of Colonel John Winslow, p. 97.

[2] Journal of Colonel John Winslow, p. 134.

America. At a later period in the struggle, when the French had been driven from one stronghold after another, the danger from the presence of the Acadians in Nova Scotia, even though they declined to take the oath of allegiance to the British king, would hardly have seemed worthy of consideration.

But we must look at this action of our fathers as they looked at it at the time. They believed, and that too most intensely, in the importance of English supremacy on this continent, and they had entered upon a heroic struggle in accordance with this belief. It is not enough to say that subsequent events make it plain that they were unnecessarily alarmed. Those subsequent events were not foreseen. Terrible disaster at one point had already befallen their arms, and they knew not what added disasters might follow. One dominant purpose moved them, and that was the utter overthrow of French power on this continent. The blow must be a sharp and a heavy one, and it was made with all the force at their command.

In his communication to the governors of the colonies on the Atlantic seaboard, Governor Lawrence referred to the attitude which the Acadians had taken toward the British government from the beginning of English occupation in Nova Scotia in 1710. Of his own efforts concerning them he said :

"Notwithstanding all their former bad behavior, as his Majesty was pleased to allow me to extend still further his royal grace to such as would return to their duty, I offered such of them as had not been openly in arms against us, a continuance of the possession of their lands, if they would take the oath of allegiance unqualified with any reservation whatsoever : but this they have most audaciously as well

as unanimously refused ; and if they would presume to do this when there is a large fleet of ships of war in the harbor, and a considerable land force in the province, what might not we expect from them when the approaching winter deprives us of the former and when the troops which are only hired from New England occasionally and for a small time have returned home . . . As their numbers amount to near seven thousand persons the driving them off with leave to go whither they pleased would doubtless have strengthened Canada with so considerable a number of inhabitants ; and as they have no cleared land to give them at present, such as are able to bear arms must have been immediately employed in annoying this and the neighboring colonies. To prevent such an inconvenience it was judged a necessary and the only practical measure to divide them among the colonies where they may be of some use, as most of them are healthy, strong people ; and as they cannot easily collect themselves together again it will be out of their power to do any mischief and they may become profitable, and it is possible in time, faithful subjects. As this step was indispensably necessary to the security of this colony upon whose preservation from French encroachments the prosperity of North America is esteemed in a great measure dependent, I have not the least reason to doubt of your excellency's concurrence and that you will receive the inhabitants I now send and dispose of them in such manner as may best answer our design in preventing their reunion." [1]

But the Acadians were not wanted anywhere. Virginia sent about six hundred of her quota to England, where for a while they were clothed and fed, and later sent across the channel to France. Of those sent to Louisiana, a large number remained and their descendants to-day constitute more than two-thirds of the French-speaking people of the state. They have given two governors to Louisiana, both typical Americans it is said. But many from the various Atlantic ports found their way back to the land they had so reluctantly left. Their old allotments were not restored to them, but they received

[1] Selections from the Public Documents of the Province of Nova Scotia, pp. 277, 278.

grants of land elsewhere, and on the same terms as other settlers. It is said that at the present time there are about one hundred thousand descendants of the Acadians living in Nova Scotia and New Brunswick. They still hold fast to their race and religious attachments, but since their return they have not hesitated to take the oath of allegiance, and throughout the nearly a century and a half that have followed, they have been loyal, peaceable subjects of Great Britain.

REV. THOMAS SMITH, D.D., AND HIS FIRST PARISH OF FALMOUTH, NOW PORTLAND

BY REV. JOHN CARROLL PERKINS

Read before the Maine Historical Society, December 19, 1901

Thomas Smith died on Monday, May 25, 1795, after having been connected with the First Parish of Falmouth, later Portland, almost seventy years. Since his formal settlement, sixty-eight years, two months and seventeen days had passed, but he had preached for the people of the little tentative, struggling community almost two years before his settlement. After Mr. Smith had been preaching thirty-seven years, in the year 1764, he had the assistance of a colleague, but he preached in his turn for twenty years longer. He records in his journal under date of August 13, 1783, "It was perfect pleasure in speaking." His last recorded sermon was on October 21, 1792, three years before his death at the advanced age of ninety-three. At the time of his death, his colleague, Dr. Samuel Deane, said, "Not more than one instance is recollected of a ministry in this country, so long protracted."

This life was the religious standard of life in Falmouth during practically the whole of the eighteenth century. What Mr. Smith was in his personality became the guide, the interpreter, the pastor for that body of people, whose descendants now comprise

Portland. Two generations knew no other religious instruction than his. A third shared his august time-honored influence with a younger, but sympathetic colleague. A fourth came to manhood just as his patriarchal presence yielded to an almost unique memory.

The sources of our knowledge of Parson Smith are first of all his remarkable journal, which he kept in part in cipher, from 1719–1788. This manuscript passed into the hands of Honorable Samuel Freeman, at whose discretion it was published in 1821.[1] After the publication of this journal, the manuscript was destroyed. This was doubtless in the spirit of Parson Smith's desire, and at the request of the family who entrusted it to Mr. Freeman. All that might be of value for general history is probably left, for Mr. Freeman was a wise man. But there passed away with the destruction of the papers many keen judgments of the various personalities of the period; also the free expression of many a private opinion of the Parson on local affairs. Mr. Freeman had known him, and was himself closely bound up in the public life of the time. For this reason he would have been more sensitive to the immediate acceptance of such details and less considerate of the curiosity of our day. When Governor Sullivan wrote the history of Maine, he sought access to the journal of Parson

[1] Mr. Freeman writes, "The matters I here present the public are—1. Notices of such Foreign Events as came to the knowledge of Mr. Smith during that period. 2. Domestic occurrences; or such as took place in the town of Falmouth and its vicinity, from the time of his coming there in 1725, with marginal notes as to the particulars of some of the events which are but slightly mentioned. 3. A view of the life and character of the deceased. Also a separate account of the seasons.

Smith for data regarding the Indian wars. The Parson refused on the ground that the journal contained a mixture of private matters not proper to be exposed to public view. We may be thankful that Mr. Freeman gave us so much, far more than the Parson himself would have allowed. Of like value with the journal of Parson Smith, after the year 1764, is the journal of his colleague, Rev. Samuel Deane. This journal covers the most of the manhood of Mr. Deane. It was published together with a revision of Mr. Freeman's Journal of Parson Smith in 1849, by William Willis, the historian of Portland. These two journals are a priceless treasure for the history of the parish of Falmouth. A few of Parson Smith's sermons are still in existence, written in so fine a hand as to be almost illegible. Very few have ever been published. The town records, letters of the time, local histories, preserving incidents and traits, and not least the strong men and women of the early and later history of Falmouth and Portland, complete our knowledge of the personality of Parson Smith.

Mr. Smith was the son of Thomas Smith and Mary Corwin, who were married in Boston, by Rev. Samuel Willard, of the Old South Church, May 9, 1701. He was born March 10, 1702, the first of a large family of children. His grandfather was Thomas Smith, and a merchant in Boston. His father was for many years a trader with the Indians east of Boston, and as Indian agent and truck master was in the service of the government of Massachusetts. He entered Harvard College in 1716, taking his first degree four years

later at the age of eighteen. He continued special theological preparations at once, and after two years we find that he has recorded of himself, "I began to preach April 19, 1722." Among other places this year he preached at Malden and Sandwich, in Massachusetts. On January 7 of the next year he preached to the people of Bellingham. The next day, so he says, "The committee of Bellingham was with me to acquaint me of their call." He deliberated until March 21, and gave his answer in the negative. June 27, 1725, he came to Falmouth. Here he preached seventeen Sabbaths, though not continuously, and spent his time among the people, making their acquaintance. He diverted himself, also, with gunning and fishing at Purpooduck, that is, Cape Elizabeth, and the back country. This sojourn in Falmouth may or may not have been with a view to settlement. He acted in the double capacity of chaplain to the garrison and public preacher. He apparently spent the winter in Falmouth, for he records that "It has been all along a close and hard winter as has been remembered. There has been good sledding all winter. Never one thaw. There has been the best gunning here this winter than has been for some years past." It is hardly probable that he brought the people together much on the Sabbaths during the winter, because the meeting-house was hardly finished on the outside at this time and the windows were unglazed. Such was the impression he made upon them, however, that on April 26 he could say, "This day the Committee acquainted me with the call of the people

generally planting here." His answer came the following January, he having meanwhile spent most of his time among the people. It is as follows:

"FALMOUTH, January 22, 1726-7.

"Gentlemen: Some time since, as a Committee of this town, you acquainted me with the choice the inhabitants had made of me to settle among them as their minister. Since which, I have had time to take the great affair into the most deliberate and serious consideration, and after solemn address to Heaven for counsel and direction, and the best advice of my friends, am determined to accept of this call and invitation, and do accordingly with the most humble reliance on free grace, devote myself to the service of Christ in the ministry of the gospel among them, depending on such a suitable and honorable provision for my support and maintenance, as by their free and generous proposals they have left no room to doubt of.

"THOMAS SMITH.

"To Major Samuel Moody, Esq., and Mr. Benj. York, to be communicated."

The next day after this letter was sent, the town held a meeting, and in the words of Parson Smith, "They passed several votes in my favor." These votes as found at present in the town records are as follows:

"For Mr. Smith's encouragement, Voted, 1. That the town will supply him with fire-wood. 2. Pay his salary every six months. 3. That the lot between Thomas Thomes' and Samuel Cobb's, being No. 15, be given him on his settlement, for his house lot. 4. That the town will clear and fence the three-acre lot given Mr. Smith, and also the three-acre lot adjoining, given for the ministry, to be fit for his improvement. 5. That the town accept Mr. Smith's answer to settle with them with all thankfulness, being universally satisfied therewithal. (A committee was chosen to communicate it to him and take his advice about ordination, &c.) 6. Voted, That the second Wednesday or Thursday, being the eighth or ninth day of March next, be appointed and set apart for Mr. T. Smith's ordination among us, and that Major Moody, Mr. Peter Walton and Mr. Thomas Haskell, be a committee to write to the several churches in the county, to afford

their assistance in that great work, by their ministers and messengers. 7. That ministers and messengers meet at Major Moody's as a council. 8. Major Moody desired to entertain the ministers and messengers, upon ordination day, the charge to be defrayed by the town."

It were of course impossible to trace the influences that led Mr. Smith to settle in Falmouth. His home was Boston, then perhaps the largest town in the colonies. He was in the best society, at a time when social position meant far more than it has meant since. His name stands forth in the lists of his class at college, lists arranged according to social position. Falmouth was a frontier town. It meant hardship for its minister. Indians had already destroyed the settlements in Casco Bay repeatedly. Their presence suggested attack, poverty, perhaps loss of life. Neither his journal nor any record lets us into the inner springs of his action. If he had a spirit of missionary heroism, we are not told of it. That he was a serious consecrated soul we do know. Twelve days before his favorable answer to the inhabitants of Falmouth he has written in cipher in his journal, "Separated this day for fasting and prayer." Certain external influences, however, there are, that made his decision easier. His father was a government official for intercourse with the Indians. He was often in Casco Bay. Under date of October 8, 1725, we read, "My father and brother came in from St. Georges without the Indians." His father died afterwards at Saco, where he had a truck house. His brother or uncle John was deeply interested, as was also Mr. Smith himself, in the controversy between the Old and New Proprietors of Falmouth Neck. It

is therefore perhaps not unnatural that in a time of colonization, or the development of the eastern lands under the encouragement of the government at Boston, Mr. Smith should have chosen this place in which certain family interests had given him acquaintance. At any rate we find the young man of twenty-five casting in his lot with the new community,—settling among them for life, for such was the parish relation in those days.

The Falmouth to which Mr. Smith came was practically a new settlement. The first Christian preaching in the limits of what afterwards became the town of Falmouth was probably by the chaplain of Governor Robert Gorges, who spent the winter of 1623-4 at Great Diamond Island in Portland Harbor, with Christopher Levett. This was Rev. William Morrell, a minister of the Established Church of England. This attempt at a settlement in the harbor by Christopher Levett was not permanent. In 1636, Rev. Richard Gibson is with John Winter at Richmond's Island, in Spurwink. Winter, perhaps at his daughter Sarah's solicitation, desires Gibson as his son-in-law. Gibson is not reciprocally inclined, and is therefore "entertained very coarsely, and with much discourtesy," so that "I am obliged to remove to Piscataqua for maintenance," he writes. Mary Lewis, of Saco, whom Gibson soon after married, was probably the immediate cause of his recalcitrance. Sarah Winter still set her heart on a minister, however, and when, in 1641, Rev. Robert Jordan came to the little settlement at Richmond's Island, she

married him and became the mother of all the Jordans about Falmouth.

Some time before this, in the year 1632, George Cleeve and Richard Tucker, driven from Spurwink by Winter, had settled on Falmouth Neck, now Portland, and from their occupation a flourishing colony resulted. These inhabitants were chiefly from Massachusetts, were Puritans, not of the Church of England, as the Gorges people were. This fact led to various difficulties concerning the jurisdiction of Falmouth, whose bounds were first stated in the compact with Massachusetts in 1658. These difficulties did not end until the final purchase of Maine by Massachusetts from the heirs of Gorges in 1678.

Rev. George Burroughs was the Puritan minister over this little settlement. He came some time before King Philip's War. His meeting-house was on the high land above what is now the Portland Company's works. In 1692, he was executed at Salem for witchcraft, that terrible religious fanaticism of England and America at the end of the eighteenth century.

But this settlement of Falmouth, with its records, was totally destroyed in King Philip's War and the subsequent Indian wars, which destroyed in whole or in part more than half the towns of Massachusetts, and subjected the people to the wildest of Indian cruelties and torture. For brief periods from 1675 to 1718, inhabitants tried to find homes again, but for the most part Falmouth during this period was rarely more than a military garrison. Fort Loyal, on

Falmouth Neck, was destroyed by the French and Indians in 1690. In 1700, New Casco Fort, on Falmouth Foreside, was built and occupied, but was dismantled a few years later and the garrison came to the Neck. With these soldiers others became associated, old inhabitants and new. In 1718 they were incorporated under Massachusetts laws as The Town of Falmouth, and have since maintained a continuous history.

The first town meeting was held May 7, 1719. At the third meeting in May, the 28th, it was voted, "That a minister be procured as soon as possible, and that the charge of his transportation hither, if any can be obtained, shall be at the town charge. Samuel Moody, Esq., was appointed by the town to looke out for some suitable person for that service." This Samuel Moody seems to have been the most important man among them at the time. He had been major and commander of the garrison at New Casco that moved over to the Neck. Soon afterwards, September 7, 1719, it was voted, "That there be sixty-five pounds raised out of the subscription for the support of the minister the year ensuing, to which was added the stranger's contribution, and deliver it to the minister weekly or monthly as should be thought proper." The next year, February 1, 1720, it was voted that there be a meeting-house built as soon as possible, "thirty-six feet in length, and twenty-eight in breadth and twenty foot stud." Suitable committees were also appointed for these purposes. But affairs moved slowly in the little

settlement. On August 15, 1720, they voted again, "That the selectmen should look out for a minister, by writing to the President of the College, or by any other means they should think proper." That winter Mr. "ParePojnt" apparently came among them, for in July, 1721, they decided to "treet" with him for another six months; and on April 2, 1722, they voted "to agree with Capt. Samuel Moodey, Esq., for the half year's board that is behind and is not yet satisfied." This minister, Rev. John Pierrepont, apparently stayed in or near Falmouth for several years. Mr. Smith writes in the Church Book of Records, "In the year 1725, in June (the war ending the summer) I (Thomas Smith) came here and found one Mr. Pierrepont, (who was chaplain to the army, whose headquarters were on this Neck) preaching to the people." February 11, 1724, the town voted, "That the select men be empowered and desired to write to some minister in or about Boston to pray their assistance in procuring a suitable minister for the town."

The result of this last vote was the coming of Thomas Smith. What the town was when he came cannot be better told than in his own words, written in 1726:

"In the year '17, a number of men, about thirty, petitioned the General Court for this tract of land, in order to make a settlement of; . . . the town filled but slowly. When I first came down here, which was the 23d of June (1725), there were but fifty-six families, such as they were, most of them very poor, by reason of the Indians that kept the people from their farms . . . and confined them to garrisons, and some that were soldiers, that had found wives on the place, and were mean animals; and I have been creditably informed that the men they engaged to come to them, were as bad as themselves,

having a design of building up the town with any that came and offered; but the war coming on purged the place of many of them, and in their room came others, and some very good. . . . This fall came down I. Riggs, with his family, and about the same time J. Sawyer with his, both from Cape Ann, both very good sort of men, errors excepted. When I came down, the meeting-house frame was only covered; but this summer it was handsomely finished outside, Governor Wentworth giving the glass.

"This spring came into town one Savage, and also one Stimson and his family, . . . whom the selectmen immediately warned out of town, as they did several others, just about the making of peace. This summer (peace being concluded) there came from Cape Ann one Davis, a pretty troublesome spark, with his family. Also one of his wife's brothers, no better than he — and a little after, another family who was also warned out of town. Also one Haskell, a sober sort of man, with his family. John Sawyer brought here to live. This fall came Isaac Savage and Mr. Pride, with their families; also Mr. White's eldest son, who were sober and forehanded men. . . This month I reckoned up the families in town, and found there were sixty-four, such as they were, accounting a man and a wife a family. There are likewise thirteen or fourteen young men marriageable, that have land in the town and are inhabitants; and above thirty-eight fighting men."

Such was the parish in which young Mr. Smith, after his many months of deliberation, finally decided to settle. March 8, 1727, was set apart for his ordination. On the first page of the church record book, in his own handwriting, we read,

"This day the Church was gathered in this place and Thomas Smith ordained pastor. Present and assisting at the solemnity were the pastors and delegates of the church at Wells; the church at York; the church at Berwick; and the church at Kittery. The Rev. Mr. Moodey began with prayer; the Rev. Mr. Wise preached and gave the Right Hand of Fellowship; the Rev. Mr. Newmarch gave the charge; and the Rev. Mr. Rogers closed with prayer. The whole affair was carried on and finished much to the satisfaction and joy of every one concerned; thanks be to God. We are the first church that ever was settled to the eastward of Wells. May the gates of Hell be never able to prevail against us. Amen.

The type of religious worship and thought that Mr. Smith brought to Falmouth and planted was of course the Puritan type of Massachusetts. But Puritanism had had a development of its own on American soil. And likewise the conditions of colonial life had greatly changed. The two most important epochs of religious life in the seventeenth and eighteenth centuries, are the early colonial "church-state" in Massachusetts, and the "Great Awakening" in the middle of the eighteenth century. Mr. Smith was born, grew into manhood and was settled in a time of comparative religious peace, especially marked as the era immediately following the frantic and wicked witchcraft persecutions. The only church problems in America before Mr. Smith's time, were problems of church polity and church authority and control. All doctrinal discussions in New England, which we are so often likely to think of as characteristic of all American life, came later than the time of Mr. Smith's ordination. That is, they belong to the period just before and following the "Great Awakening" under Whitefield and Jonathan Edwards. Cotton Mather, of Boston, in his book "Ratio Disciplinæ," published in 1726, the year before Mr. Smith was ordained, could write thus:

"There is no need of reporting what is the Faith professed by the churches in New England; for everyone knows that they perfectly adhere to the Confession of Faith, published by the Assemby of Divines at Westminster, and afterwards renewed by the synod of Savoy; and received by the renowned Kirk of Scotland. The doctrinal articles of the Church of England, also, are more universally held and preached in the churches of New England, than in any nation; and far more than

our own. I cannot learn that among all the pastors of two hundred churches, there is one Arminian ; much less an Arian or a Gentilist."

The Pilgrims who came to Plymouth were not simply Puritans. They were Separatists, that is, absolutely independent Congregationalists. This was not the case at first with the Puritans who settled at Salem and Charlestown and Boston and the vicinity of Massachusetts Bay. When they came from England they still considered themselves a part and an organic part of the Church of England. Only they were opposed to the priesthood and omitted the use of the prayer book. In 1631, Roger Williams refused to preach in the First Church of Boston, because that church still considered itself unseparated from the Church of England. The change came quickly, however, to the churches of Massachusetts Bay, though just how is not wholly clear. Perhaps it was influence from Plymouth that sent the Massachusetts churches on their career of consistent Separatists and Congregationalists.

"But neither Pilgrims nor Puritans had any thought of establishing liberty for men to do as they please ; nor would any general toleration, such as we now justly value, have furnished motives definite enough to have led our ancestors to the New World. The Puritans who settled Massachusetts had little if any disposition to tolerate dissent from what they believed to be the right path in church and state."[1]

They founded a theocracy, a God ruled state, in which church and state should be one. Only church members could vote or hold any civil office from the time of their first legislation until the abrogation of their charter by Charles II. in 1684. All religious

[1] Congregationalists, Walker, p. 99.

problems were submitted to the General Court. All respectable people were of the church, had made public profession of faith and entered upon civil and religious life at the same time and by the same act. Each church ordained its officers, who were theoretically at least, pastor, teacher, elders, deacons, widows. And such were ordained not to a "sacred office," but simply to the ministry over the church that called them. So that another ordination was required if relations were changed. The smallness of the churches at first probably forbade the full quota of officers in many. At the time Mr. Smith was ordained, the only officers were pastor and deacons. This was so in many other places. The pastor was required to teach, that is expound the Scripture, as well as preach and perform his pastoral labors. The magistrates relieved him in much of his labor. It was not the habit, for instance, for pastors to perform the marriage service or pray at funerals. The first record of a marriage performed by a pastor in Massachusetts was in the year 1686, only sixteen years before Mr. Smith was born. The first instance of a prayer at a funeral was at Roxbury in 1685. The Bible was not read in churches, as is now our habit. But verses were read and expounded as read. All other reading was "dumb reading" and savored of liturgy, which was hated. It was as late as 1750 when the church at Newburyport authorized the regular use of Scripture in the church. The preaching was almost exclusively memoriter or from brief notes. But by the beginning of the eighteenth

century, preaching from notes had "become extremely fashionable."

The life of this colonial church-state came to an end in 1684. Seven years later Massachusetts had a new charter. Congregationalism was no longer the only recognized body of Christians in New England. All ecclesiastical tests for franchise were abolished. Freedom of worship was granted to all Protestants. Church and state were separated in theory. But since the old town governments were still maintained in most of their ancient privileges, that form of church polity that predominated in New England, naturally maintained itself, often by arbitrary methods. All these things had taken place in the religious life of Massachusetts before Parson Smith's settlement. His parish was not the early Puritan church, but yet its offspring, with many of the ancient traditions. The word "parish" was not applied with special religious signification during the colonial period. But it was so applied increasingly after the last year of the seventeenth century. The town of Falmouth, in town meeting, voted all matters relating to the financial life of the parish until the year 1733, when Falmouth was divided ecclesiastically. In that year begins the First Parish Record Book, which is kept subsequently by special parish officers. In 1727, Mr. Smith records, "This day the church was gathered in this place." In that year the church book was begun. This separation between church and parish belongs in New England to the period between the Puritan church-state and

Parson Smith's day. It came about after the year 1684 because not all people were aware of the religious experience that constituted entrance into full communion and therefore the right to vote in religious matters; and yet as inhabitants of the town they were compelled to support the ministry. They therefore claimed the right in at least the selection of the pastor. Hence arose the dual organization that has come down to our day. The Massachusetts laws of 1692–3 directed that the church should choose a minister and the inhabitants or parish might then concur or non-concur. Mr. Smith's church was always very small. The names of ten men only are signed to the covenant. No women's names are preserved. At the first communion service only thirty were present, out of a possible one hundred and seventy-five to two hundred. We do not know the method of Parson Smith's ordination. Perhaps it was performed by the town officers, possibly Major Moody. Mr. Smith simply says he was ordained, but does not attribute the act to any one of his church or to either of the visiting ministers. Probably the occasion itself signified to him his ordination. It is interesting also to notice that he does not speak of a reading of Scripture on that occasion. It is quite probable that the Scripture was not read and that he himself did not in the early part of his ministry read the Scripture for any purpose than for exposition. Mr. Smith records no marriage, so far as appears, before the year 1750. This was of course before the period of Sunday-schools. But he often speaks of preaching to young men, once in the

"Old Meeting House." In 1743, June 15, he records, "I catechised the children on the Neck, about seventy." The first vote of the church, at a meeting July 10, 1727, is as follows:

> "Voted, That in the admission of members into our communion, it be not expected that there be formal relations made, as has been the custom of many churches in this country, unless upon some particular occasions it may be thought proper."

The leniency of this vote is probably in interpretation of the somewhat lax spirit of the time, when it was no longer thought necessary to make public confession of religious experience in order for good and full religious standing. It may also, as seems quite probable, be the expression of a sympathy that Parson Smith had with so-called Stoddardeanism. Rev. Solomon Stoddard was minister of the church at Northampton from 1699–1729. He published a book in 1700, called "Instituted Churches. This book held that the Lord's Supper was designed "for all adult members of the church who were not scandalous." It was to be applied, he said, to "visible saints," though "unconverted," therefore "it is for their saving good, and consequently for their conversion." These "visible saints," though "unconverted," were such people as were by birth members of a church, through the fact that their parents were fully converted. Such persons had been recognized as of the church by the so-called Half-Way covenant of 1657. Parson Smith was probably in sympathy with Stoddard, whom he quotes approvingly regarding the matter in a sermon some years later in his ministry.

In Parson Smith's records in the church book is a phrase, often recurring, "Acknowledged the covenant." This had to do with the same Half-Way covenant of the year 1657 already referred to. There were people, who believed easily enough the substance of doctrine then taught, but who were not conscious of having had a definite and vivid religious experience. Such persons were allowed to be members of the church, in good standing, only not admitted to full communion.

Such are some of the religious conditions that met and occupied Parson Smith at the beginning of his ministry in Falmouth. But far more necessary doubtless in his mind were the immediately pressing problems of the daily life of this frontier pioneer town. March 10, 1728, one year after his settlement, he makes the significant record, "I preached on the sins of the town." Many were "mean animals," he had said. There is reason to think that in Falmouth was not less immorality and low drunkenness than in similar wilderness towns. Mary Rideout is dismissed from the church for drunkenness in 1638.

Yet there were also men and women of the finest type of life. Major Samuel Moody and his son Joshua were both graduates of the college at Cambridge, perhaps the only college-bred men with Mr. Smith at the time of his coming. Samuel Cobb, the man to build the second house on the Neck, and the first deacon of the church, was a ship-carpenter and of the very finest type of manhood.

One of the severest obstacles to the early growth of Falmouth, was the legal conflict between the Old and New Proprietors of the land. The people who settled in 1718 had no title. The actual owners of the property before the Indian wars had lost all records. This condition was the occasion of long and bitter disputes, necessarily very trying to the Parson. The proprietors of North Yarmouth on this account petitioned the Court to have their records copied and preserved lest any casualty happen, which as the account says, "was the unhappy case of Falmouth in Casco Bay, whose records were lost, the loss of which has run them into great confusion, and has almost proved their utter ruin and confusion." Mr. Smith's brother or uncle John was an officer in the town of North Yarmouth and quite likely got this order passed. He was also one of the Old Proprietors in Falmouth. Parson Smith himself was another, having purchased an old claim. But the New Proprietors were in the majority. There is therefore some bitterness in the record that Parson Smith makes in 1728, March 26, "Annual town meeting. The caballing party carried all before them, and got all the officers of their party." Perhaps something of exultation when in the following May he writes, "A mighty stir and unwearied endeavors to overturn the caballing crew." These differences were not finally settled until 1732, when under date of September 22 the Parson writes, "They finished the meeting to-day entirely to the satisfaction of everybody. The New Proprietors took in the old ones by vote, all signed

FIRST PARISH MEETING-HOUSE,
1740 to 1826.

the Articles of Agreement. This was the happiest meeting Falmouth ever had. Thanks to God."

From this time down to the Revolution the town of Falmouth, and thus the parish, had a natural, healthful growth. There was constant fear of the Indians down to the treaty of Paris in 1763. Hardly a year of Parson Smith's journal fails to give record of some fright or some murder of an outlying settler. The men were continually summoned to arms. The town discussed building Parson Smith a garrison in 1734. One East opposed and prevented it, says the Parson. But volunteers went to work. He says, "I had about fifty persons assisting in raising my garrison, and had a magnificent supper for them." It is no wonder that we of this generation can hardly throw off the inborn superstitious fear of that copper-colored race, whose presence is always possible in lonely woods and valleys to the youthful imagination.

The parish was divided in 1733 with the setting off of Cape Elizabeth; again in 1753, by the setting off of the present parish of Falmouth. The building of a new meeting-house in 1740 stirred the parish to its foundations. The project was voted down in parish meeting. But certain enterprising ones purchased land, built the house and offered it to the parish. The Parson prayed in the new house, and the congregation moved from its first structure on the corner of Middle and India streets to the present location. The year 1764 was a crucial year. The parish divided again. The division divided, one part to become the Stroudwater parish, the other to adopt

the worship of the Church of England. It was at this time that the Parson's wit saved him from utter despair. Several members of the Waite family forsook the old parish for the Episcopalian enterprise. On this occasion he said, "The First Parish is like a clock. When the Waites are off it will stop." But the parish did not stop. A colleague was engaged for the Parson, who had then been preaching thirty-seven years, and together they carried the parish on till the year 1795. Two years after this arrangement, we find the following entry in Mr. Deane's journal:

> "I taught Mr. Smith this day the play with battledore and shuttlecock, with which he seems much pleased. I found it advantageous to play before dinner, but being tempted to engage after dinner also, I soon found myself excessively worried, which I did not recover that day."

Parson Smith was a typical minister of his time. He was not a man of great learning apparently, nor of unusual intellectual power. Though in comparison he was a leader in his parish. Neither was he a man of the deeper, finer spiritual insight, such as certain periods of religious activity produce. The age was a transition age. The consciousness of religious experience was far less definite and sharp than in the early days of colonization or the later days of the "Great Awakening." Theological dogma was as firmly fixed and practically beyond discussion as in the Roman Church to-day. Religious fervor was rarely found. Ministers preached from notes, so closely written that the eye could never leave the page. It seems to one reading the sermons of Mr.

Smith as they have been preserved to us, that he must have read with magnifying glass. The minister of this period was not marked by the finer prophetic vision. He was rather a man of affairs. He held a place similar, it seems, though he himself would have repudiated the judgment, doubtless, to that of a secular, city bishop in the Middle Ages. He not only administered religion. He administered many other conditions also. The supreme example of this pastor of the period is the Rev. Increase Mather of Boston, pastor of the Second church. But beyond this office, he is also president of Harvard College from 1685–1701. He guided the religious administration of New England. But he alone of all citizens in Massachusetts could represent that colony in politics in England, before James II., and win anything like what his people desired. No bishop ever had more power comparatively than he. Mather died only four years before Mr. Smith was ordained, the most conspicuous man of his time. His character and influence was upon every life.

Parson Smith, however, was ever a man of broad, strong sympathies, a real human being. As he advanced in life he was considerably affected by the revivals of Whitefield. He had little of the character of the ascetic. But he set apart special days for fasting and prayer and contemplation. He apparently never spared himself when there was work to be done among his people. He was not only the curer of souls, but of the body as well. For many years he practiced the art of medicine among his parishioners,

not as a disciple of any school, but in the light of the common knowledge of the day. In all periods of famine or sickness as well as prosperity,— for his long intercourse with his people brought him with them through every experience that flesh is heir to,— his simple records in his journal show such a genuine spirit of sympathy, such touches of kindness, such words of pity or of joy, that the real inner temper of the man is plain. At one time we find him working hard on his sermons, as when he writes, "The week I spent very closely in preparation for the Sabbath." Again we find him spending all his time with the sick. In 1748 he writes, "I am hurried perpetually with the sick; the whole practice rests on me." Again in 1751, "It is a time of health and therefore a time of leisure with me."

But his pastoral labors and his interpretation of his religious duties, did not keep him from his place as a citizen. One of the best educated men of the town, he took his place naturally as intellectual and social leader. He went to Boston several times in the year, by sloop, or horseback, or in his chaise with his wife. In 1744 he writes, "This day I am forty-two years old. I took a religious note of it. I have rode in thirteen months past, more than three thousand miles. I have been to Boston four times." He received fine entertainment on his journeys, and he made adequate return in his home in Falmouth. His house was for many years the best and most costly house in town. Men of note were his guests. At one time he says, "I had a great company drinking tea,

among them Col. Powell and his sisters." Again, "I dined with the Governor. The Governor drank tea with me." Again, "About forty gentlemen, mostly young men, dined at my house." Mr. Smith was a man of careful and provident habits. He did not hesitate to engage in land and other speculations. An inventory of his estate, written by himself in 1742, would indicate that few men in the town could be richer than he. The relics from his household, furniture and clothing still preserved, indicate a home of affluence. But in his medical practice he took no money from his people, regarding that service as a part of his pastoral duties. And in times of great stress, such as the burning of the town by Mowatt in 1775, he received no salary for several years.

Mr. Smith was married three times, and found great happiness in each experience. He is described as short, but full in stature, and very erect. No portrait of him is in existence, except an oil painting made when he was a child. Of his work in the pulpit, he always took great concern. "At his first exhibition," one who knew him writes, "in the sacred desk, though he was not more than twenty-two years of age, his performances, both in free prayer and preaching, were much approved by the ablest judges, and his popularity was remarkable." As we read in his journal, he seems to have suffered the most extreme periods of depression and exultation. Thus, "I was much carried out, and the people seemed mightily affected." Again, "A very full meeting. I

was as much enlarged, and had the most extraordinary assistances, that ever (I think) I found." Again, "I had extraordinary assistance. Was an hour and a half in prayer, A. M.; and above an hour P. M." But on the other hand, "I preached P. M., but was in such a clouded, dark frame as (I think) I never was at any other time." Again, "I could not speak in morning sermon. I told the people they were convinced of the necessity of looking out for another minister." Again, "I was earnest and blundered in reading my notes, and was perhaps vapory, and thought the people slighted me much, though my wife does not think so." Once it was so cold he could "preach but fifteen minutes." And again, in 1766, it was so cold the water froze in the baptismal bowl.

Mr. Smith was greatly stirred and affected by the revivals under Whitefield's preaching. In this he stood against his parish. Whitefield came to Falmouth and preached in his pulpit in 1745. The record is as follows:

"I have been in great concern about Mr. Whitefield's coming among us, there having been such a violent opposition to him among all our leading men except Mr. Frost, and such unwearied pains taken to prejudice the people against him, so that I feared nothing but such a quarrel as would be fatal to me; but now he has come, stand still and see the providence of God. The wonderful providence of God is to be observed with respect to Mr. Whitefield, that . . . he should come as he did, when Messrs. Pearson, Waite, Wheeler, Moodey, Freeman and others were all gone out of town, so that there was no uneasiness but all went well, and general reception. Thanks to God."

The effect upon himself is very interesting.

"For several Sabbaths and the lecture, I have been all in a blaze; never in such a flame, and what I would attend to is that it was not only involuntary, but actually determined against. I went to meeting resolving to be calm and moderate, lest people should think it was wildness, and affectation to ape Mr. Whitefield; but God (I see) makes what use of me he pleases, and I am only a machine in his hands. Tibi Jesu."

Mr. Smith was in general, however, of that quieter, cooler type of a religious mind that was not carried far beyond certain fixed limits. He was a consistent, though mild, Calvinist all his life. He told his colleague, Mr. Deane, "that he had often experienced the greatest comfort in these seasons of extraordinary communion with God; and often wished he could have continued in such frames, as when in the Mount with God. But he had never experienced such ineffable joys of assurance as some Christians are said to have enjoyed.

His ideal of what a pastor should be is in the following quaint sentences taken from a sermon:

"As the foundation and chief article of all, it intends the personal holiness and exemplary pious conversation of such pastors, or that they are men of truthfulness, substantial, unaffected piety, and of an exemplary conversation in the presence of all goodness and virtue. . . And indeed this is so necessary a qualification for a Gospel minister that without it all other qualifications are of little significance in the esteem of God. Though he could speak with the tongues of men and of angels and have not this, he is but as sounding brass or tinkling cymbal in the ears of heaven. . . It is gross absurdity to imagine the contrary, a graceless man to be the delight of God whom he chooses and desires and sets his heart upon! Such an one, a pastor according to God's heart? No! He may stand right in the church, and in a considerable degree comply with the purposes of his office, and be a very useful and serviceable man, but he can never be according to God's heart, . . such as he would accept and own and reward as he will his faithful ones in that day when he will make up his jewels. . . .

Thus when pastors openly contradict in their lives what they teach with their mouths, they thereby unteach their own doctrines, and in effect tell their people that there is nothing at all in it . . . Those are pastors after God's own heart who are capable of and make it their business to feed the flock, (not to feed themselves and fleece the flock) but feed them with wisdom and understanding. . It is not every good man that is fit to be a minister of the gospel . . a weak, silly, injudicious man is far from being so. . . For which end it is necessary that they should be instructed not only in the art of reasoning, but also in natural and revealed theology, and in moral philosophy, so that they may be able to explain the popular offices of rich and divine worship, and the natures of the popular virtues and vices, they exhort to and dehort from . . they should be well acquainted with the Holy Scriptures . . they should be skilled in the original languages, in the history and rights and customs of the ages in which they were writ. . . I do not say that all these things are absolutely necessary to render men pastors after God's own heart. For I make no doubt that a good man that thoroughly understands religion, may, with a little learning, do a great deal of good. . . But certainly to render a man a pastor accomplished, complete at all points, and for all parts of his office, requires a very large, comprehensive knowledge."

When Mr. Smith died, the day of the funeral, May 26, 1795, was a day of public mourning. All business was stopped. Many came from other towns. A solemn procession was formed. The program of the procession was printed and is as follows :

Male members of the Churches in Portland.
Officers of the Churches.
Ministers of Portland.
The Corpse.
Relatives of the Deceased.
Ministers of other towns.
Judges and officers of the Court.
Male citizens.
Females.
Carriages.

Funeral exercises were held in the church. The funeral address was made by Rev. Elijah Kellogg, of the Second Parish of Portland, a close friend of Dr. Smith. I will close this paper with a few words from Mr. Kellogg's address :

"A life of more than ninety-three years, how replete with incident! What changes must the possessor have seen! On the record of Harvard's sons, we find his solitary name ; to all around is prefixed the signature of death. The wilderness where he first pitched his tent, is now the place of vineyards and of gardens. Not a soul that first composed his flock is now in the land of the living. He beheld a wide destruction in his own family, which came in upon him like a breach of waters. He lived under the reigns of four different sovereigns. He saw death take one governor after another from the head of the province ; judges from the bench and ministers of God from His temple. What changes, what vicissitudes are here! They conduct us through a long tract of lapsed time. We are walking among the tombs of our fathers. Venerable pilgrim! Thy long journey is happily closed. Thy wayworn body hath at length found its rest."

WINDHAM'S COLORED PATRIOT

BY SAMUEL T. DOLE

Read before the Maine Historical Society, January 30, 1902

Traditions of negro slavery in Windham are still to be found among the descendants of a few of the early settlers, but if these traditions are true, any positive verification has hitherto eluded the most careful research I have been able to make. I have traced these different stories to their origin, and have arrived at the conclusion that historically they are without foundation, and we consider it extremely doubtful if such a condition of things ever existed in the township, save in one instance. William Mayberry, the emigrant ancestor of all bearing that surname in this vicinity, had two negro slaves, a man and a woman, named Lonnon Rhode and Chloe. Where he obtained them, how, or by what means, or at what time he brought them here, I have no means of knowing. But here they were beyond all question as the records go to show. In my boyhood there were several people living who well remembered these negroes, and according to their statements Lonnon was a tall, finely formed man, possessed of great muscular power, with a skin black as midnight, somewhat inclined to laziness but good natured and obliging in the extreme. He was greatly respected by the Mayberry family to whom he in turn was devotedly

attached; he was also a prime favorite with all the children in the neighborhood. On the other hand, Chloe was short, fat and several shades lighter than her fellow chattel; in fact, her complexion was said to be of a deep russet brown slightly tinged with yellow, and one gentleman of Irish proclivities, who happened to be domiciled near by, invariably called her "a leather-skinned haythen." She was a great worker, had a terrible temper and an exceedingly sharp tongue, and many were the battles royal waged between herself and Lonnon on account of what she called his "shiftlessness." However, it appears that she had no objections to him in the role of a lover, as the first public notice I find of them is the following entry still to be seen on the old town records:

"1763, (no month or day given) This is to Certify that there is a purpose of Marriag between Lonnon & Cloey, both negroes of this town of Windham with the Consent of their Master Mr. William Maybury of s^{d} Town

"THOMAS CHUTE, *Town Clerk.*

Their next appearance on the public stage is duly entered on the town records as follows:

"Dec. 8, 1763. Lonnon and Chloe, both of Windham, was married in Windham in the County of Cumberland, By the Rev. Peter Thacher Smith.

"MICAH WALKER, *Town Clerk.*"

It used to be related by the Smith family that when this dusky couple came before the Parson, their grotesque appearance excited his mirth in a marked degree, especially, as the groom with a haughty bearing requested him to make "dis twain one flesh."

Mr. Smith was at this time unmarried, and it so happened that the only persons then at his boarding place were two young ladies. It being necessary to have witnesses present, he invited these ladies into the room where the expectant couple were in waiting. By dint of strong effort he managed to preserve the dignity due the occasion and performed the ceremony, at the close of which he said to the groom, as was customary, "Salute your bride." Drawing himself to his full height, and swelling his chest to its utmost, at the same time giving his bride a vigorous push in the Parson's direction, the groom replied, "After you is manners, sar." This was too much for the good minister's mirth to withstand; he exploded with laughter, and although strongly urged by the young ladies present to accept the proffered invitation, beat a hasty retreat, leaving the colored man undoubted master of the situation.

It is said that Mr. Smith used to relate this incident with a great deal of relish at the old-time conferences and other public gatherings, and once when a brother minister inquired, "And what did you say to such a challenge, Brother Smith?" he replied, "What could I say? The poor fellow was only acting in imitation of his betters, and doubtless thought he was doing me a real act of kindness."

The newly married couple resided with Mr. Mayberry until his death, which took place March 15, 1765. On the settlement of his estate Lonnon became the property of Thomas Mayberry, and Chloe fell to his brother Richard, afterward a captain in the

Continental army, and so late as 1773 we find them as the property of these brothers. In that year Thomas paid a tax of twelve shillings three pence for Lonnon, and Richard paid eight shillings six pence for Chloe. Thomas Mayberry died previous to 1777, and his wife settled his estate, and she sold Lonnon his freedom, as appears from the following entry on the town records:

"Cumberland S.S. Windham, January 22, 1777. This may certify that I Margaret Mayberry, administratrix, hath received twenty pounds of my negro man named Lonnon, it being the sum of his appraisal of Mr. Thomas Mayberry's estate, and I hereby certify that the above named Lonnon is free and his own man.

Witness, Richard Dole, MARGARET MAYBERRY.
Joseph Weeks."

He enlisted in the Continental army for three years, but just at what time I have not ascertained. The army returns state that he died at Valley Forge, December 9, 1777. If these dates are correct, then he was a freeman less than one year from the time Mrs. Mayberry signed the foregoing document. I am inclined to believe, however, that the date on the bill of sale is incorrect from the fact that Richard Dole, one of the witnesses, was known to be serving in the army at the time mentioned, so I have no doubt that the date should be at least one year earlier.

Although Lonnon's condition in life was humble we have every reason to believe that he performed his duty as a soldier faithfully, and endured without complaint the sufferings and privations of the early part of that terrible winter in the huts of Valley Forge. And here death claimed him as its victim,

and with many of his fellow patriots who gave their lives for their country's independence he sleeps his last sleep in the soil where they suffered and died, while the sacred memories of a great and free people cluster like a benediction around their low sepulchers.

"The muffled drum's sad roll has beat
The soldier's last tattoo;
No more on life's parade shall meet
The brave and daring few.
On fame's eternal camping ground
Their silent tents are spread,
And glory guards with solemn round
The bivouac of the dead."

Chloe outlived her husband several years and died at the home of Captain Mayberry, but the time of her death and place of burial are both unknown to the present generation. According to the records of the First Church, Lonnon and Chloe had four children, all born in Windham and all baptized by Rev. Peter T. Smith. These children were as follows:

"Harry, baptized October, 1766,
"Robin, baptized March, 1768.
"Lucy, baptized April 19, 1772.
"Hagar, baptized January, 1775.

Three of these children died young, but Lucy grew to be a strong, healthy woman, and was quite a character in her way. She was very ignorant. Like her mother, she was a smart, capable housemaid, and like her she had a sharp tongue, a ready wit, and usually came off victorious in a war of words, no matter who her antagonist might be. She used to work in the different families in the neighborhood, but always

claimed a home with the Mayberry family; in fact, she called herself Lucy Mayberry. In after life she became exceedingly corpulent and unwieldy, which incapacitated her for labor and she became a town charge. At that time Windham had no fixed place for the town's poor and the custom was at the annual town meetings to put such unfortunate ones up at auction, and whoever offered the lowest figures obtained the care of paupers for the ensuing year, for which sum the town was held responsible. Among such records I find on the town books the following:

"April 7, 1817, Voted that Luce a negro girl be put up to vendue to be struck off to the lowest bidder, and was struck off to Dr. James Merrill he being the lowest bidder for thirty-six dollars."

At the adjournment of the annual meeting held on May 4, 1818,

"Voted that Luce a negro woman be put up to vandue and struck off to the lowest bidder, and was struck off to Reuben Robinson for forty-nine dollars, he being the lowest bidder."

At length the town's people, becoming ashamed of these annual auctions, purchased a farm near Windham Center on which their unfortunate poor have since been comfortably cared for. "Black Luce," as she was always called, spent the last years of her life on this farm. She died about the year 1838-9, and the writer well remembers the little procession which followed her remains to their last resting-place in the cemetery near my native village at South Windham. With her death became extinct the line of Windham's colored patriot, Lonnon Rhode.

JAMES SULLIVAN

BY HORACE H. BURBANK, ESQ.

Read before the Maine Historical Society, March 27, 1902

The lives and character, the successes and defeats of the great men who have become distinguished in nation, state or community, largely contribute to the history of local, state and national affairs. Government is instituted, promoted and secured by men, however small or large be the limitations which circumscribe their field of operations.

The historian of town, state or republic, or of monarchies or kingdoms ancient or modern, who is true to his subject, and would faithfully record the triumphs or the failures of his chosen pen-path, necessarily weaves into his work, more or less, the biography of those leaders who have contributed to shaping the philosophy and principles which underlie all true government.

Recall the history of Sparta, Rome, Greece, England, Germany, and these United States, with all their glory, strike from the record the inspiring characters of Leonidas, Cæsar, Pericles, Cromwell, Bismarck, Washington, Lincoln, and a host of other heroes, who in the march of civilization have cleared the rugged way to the mountains of purer atmosphere and broader vision, and there would be little left to impress the reader with the grandeur of the work.

The history of her patriotic and eminent sons is an important part of a nation's inheritance. The biography of distinguished soldiers, civilians and scholars is at once the most interesting and effective. It is not the grand outlines of history that make upon the mind the most definite and lively impression. It is its minuter details. Individuals, rather than the masses, arouse our emotions and excite our admiration. The life of a single hero may do more to illustrate the elements of character and the principles of patriotism than would the outline history of a whole campaign or an entire epoch. The general historian frames the skeleton; the biographer furnishes the flesh and blood and vitality. The same truth is found imbedded in the minor annals of state, county and town.

This thought has suggested as my theme, a brief outline of the life of one who laid the foundation of his successful career on the banks of the Saco River, but whose subsequent fame overspread the District of Maine, the Commonwealth of Massachusetts and the Republic, and he who wrought that career was

JAMES SULLIVAN.

John Sullivan, the father of our local hero, was a native of Limerick, in Ireland, who in 1723 came to York, Maine, and was there held under bonds to the master of the vessel for his passage money. Parson Moody, a familiar personage in that town, a clergyman of eccentricity, ability and generosity, loaned

Mr. Sullivan money to discharge this obligation, having speedily enlisted in the young man's welfare.

The latter soon evinced an ambition to be a teacher, and to prove his qualifications for such a vocation he wrote a letter (tradition has it) in seven different languages, and again aided by his clerical friend, he opened a school in Berwick in this county.

Among the passengers who voyaged with Sullivan from Ireland was a little girl of nine years, by name of Margery. John had had a love affair in the "old country," which aroused the persistent opposition of his widowed mother, who peremptorily forbade the marriage, and his independent, rebellious spirit led him to America. The girl passenger Margery, with her childish prattle and winning ways, unconsciously contributed much consolation to his disappointed heart. In his turn he became responsible for the girl's passage money, she became his ward and a member of his household, and shared his instruction. It is recorded that she grew to be a handsome young woman of unusual energy of character.

A suitor for her hand appeared, and the interviews which resulted between the suitor and her guardian, and between guardian and ward, developed a mutual attachment existing in the hearts of John and Margery, and their marriage soon followed. This event occurred in 1735, when the groom was forty-three years old (and for a groom he was old), and his bride was but twenty-one, but to each it was the beginning of a happy life. James Sullivan was the fourth child of this romantic union, born in Berwick, April 22,

1744. As he grew into youth, his parents marked out for him the military profession, his father having inherited soldierly instincts or qualities, but when about sixteen years old, while cutting down a tree, James received a serious and permanent injury to his foot and leg, which debarred him from a soldier's life. He became the student of the family, a home student, as were the other children.

John, an older brother, became a lawyer and practiced successfully in Durham, N. H., and Ebenezer, another brother, entered upon the same profession in South Berwick, Me., and proved brilliant and eloquent, but an excessive use of liquors reduced his practice, he left the State, and soon after died in New York City.

James read law with his brother John in Durham, which was a region of fertile farms, peace and plenty, whose inhabitants cherished a strong prejudice against lawyers. Some of the younger and more fiery citizens, upon John's advent into their community, served him with notice to quit the town, and accompanied this notice with a threat of physical force in case of non-compliance. He retorted that he should not leave, and that if resort was made to force, he would be found ready. Great excitement followed, and many people were soon arrayed on either side of this unique contest. Collisions between the factions resulted, and one man was severely wounded by an over-zealous adherent of Sullivan. The matter had assumed a very serious aspect, a truce was called, a conference held, whereat it was agreed that a

combat between the young lawyer and a champion chosen from his enemies should decide whether the young lawyer should remain in this chosen field or seek another, whose environments might prove more congenial.

John Sullivan was a man of great physical strength and large stature, and his opponents' immediate friends objected that it was an unequal and unfair match. At this point of the controversy, James, of smaller physique and with a lame leg, volunteered as a substitute for his "big brother" in defense of the rights of man, and of the legal profession in particular. James came out of the combat victorious, and the historian adds "curiously, the people of the town ever after had the greatest confidence in John." This same John Sullivan was subsequently governor of the Province of New Hampshire, and a major-general of volunteers in the War of the Revolution. If such a test were applied to the aspirations of the young lawyers of our time, doubtless the fond dreams of many would be prematurely dissolved and the bar correspondingly thinned of its votaries.

Those were fighting days, however, and much must be pardoned to the habits and spirit of men who were preparing for the mighty conflict soon to arise between the giants of the wilderness and the monarch of England.

We read of no other special episodes or diversions that met James during his legal studies, and in 1767 he was admitted to the bar, and we soon find him opening an office in Georgetown in the Province of

Maine. Indian raids upon the town had ceased, and the people had resumed their customary civil pursuits. Sullivan was subsequently asked the question, which occurs to us, why he began his professional life in so remote a region, and he promptly answered, "I knew I must make a break into the world somewhere, and I sought the thinnest place." He remained in Georgetown, however, but two years, and in 1769 came to Biddeford, and was the first resident lawyer we find on Saco River. Since this paper was written I have been shown the original order (which I copy) found among the papers of Colonel Thomas Cutts[1] formerly of Saco, namely:

"MR. CUTTS,

Sir please to let Wm Perkins have one gall^{n} of molasses and charge the same to your humble ser^{t}

August y^{e} 11th 1768." JAMES SULLIVAN

This paper proves that Mr. Sullivan's advent to Biddeford was the year prior to that fixed by Folsom in his history of Saco and Biddeford.

Probably the absence of the record of his work in Georgetown may be accounted for in the want of clients and causes which await all beginners in the profession, but in Biddeford he promptly entered upon that unbroken career of legal and political accomplishments, which for thirty years accumulated in his honor, and ceased only at death. Prior to his

[1]Colonel Thomas Cutts was in his day one of the most eminent merchants in Maine. His stately mansion, built in 1781-2 on Cutt's Island, overlooks the Saco River and its extensive manufactories. He was the successor of Mr. Sullivan in the Provincial Congress. He came from Kittery to Saco (then a part of Biddeford) in about 1758 and died in Saco, January 10, 1821, aged 85 years. Many of his descendants reside in Saco.

advent to this locality, litigated business had been wholly conducted by lawyers from distant towns in the District, Portland, York, Kittery, and even from Boston, Salem, Newburyport and Portsmouth, when the custom of "riding the circuit" of the courts was in vogue.

These lawyers, on horseback, equipped with saddle-bags of books and briefs, rode through the wilderness from court to court, consulted with clients, tried their causes before judges and juries, and then beguiled the evening hours with anecdotes, wit and repartee, or with the weightier discussion of the political problems, then absorbing in large measure public attention (these evening relaxations being usually moistened with liberal potations of flip and punch) and when courts had adjourned, rode back to their homes.

This condition of limited opportunities for business men on Saco River to employ lawyers in emergency, opened the door of success to young Sullivan, who was favored with natural energy, varied acquirements, patience, ambition, and popular manners, and he speedily secured a large and lucrative practice.

Moreover, Indian depredations had practically ceased, the struggles of the Revolution were but dimly foreseen, ship-building, lumber business and West India trade had developed into activity the men and resources of this community, and commerce and trade flourished. Timber lands on the banks of the Little Ossipee River, a tributary of Saco River, running through the town of Newfield, and dividing the

towns of Limerick and Waterborough, offered temptations to speculators to which our ancestors yielded.

In 1772, James Sullivan and thirteen other residents of Biddeford and Pepperellboro (Saco) by a legal fiction, laid claim to the tract of land which they named Limerick, in honor of Sullivan's father, a native of Limerick in Ireland.

The legal fiction was on this wise: Upon this piece of lead (which I show you) about eight by ten inches in size, on the obverse side, they cut in coarse letters the fourteen names of the claimants, and the date, "Anno, 1772, May 15," and on the reverse side, "Daniel Ridlon cum animo possessidendi, Witness D. King, J. Wingate Limbrick." (a common way of spelling the name of the town then). This was their token or evidence of possession taken, but their title deed came from the heirs of Francis Small, who had bought the lands between the Ossipee Rivers of an Indian, Captain Sunday or Sandy, for "two blankets, 2 gallons of rum, 2 pounds of powder, four pounds of musket balls and 20 strings of beads," the consideration given for a tract of land supposed to be twenty miles square which tract included the plantations of Francistown (Cornish), Parsonstown (Parsonsfield), Washington (Newfield), Limerick, Little Ossipee (Limington), and Hubbardston (Shapleigh).

Francis Small deeded to Nicholas Shapleigh what is now Shapleigh, Limerick and Waterboro. The Limerick settlers or "squatters," if you please, came into possession by occupation, but in 1773 an agreement was made with the heirs of Francis Small and

heirs of Nicholas Shapleigh and in this writing it was "likewise agreed that Mr. James Sullivan with his company shall have the one-half of thirteen thousand acres where he has laid out called by the name of Limbrick Town provided said Sullivan oblige himself to defend our title against other claims: this we agree to provided said Shapleigh heirs give him the said Sullivan the other half of the said thirteen thousand acres."

The names of these claimants, "Mr. James Sullivan with his company," are found on this piece of lead in the following order: T. Gilpartk, B. Nason, S. Wingate, E. Allen, O. Emery, J. Bradbury, W. Cole, J. Stimpson, J. Staple, J. Cole, J. Gilpatrick, J. Morrell, and (lastly and modestly) J. Sullivan.

This token or evidence of ownership, or perhaps only possession, was deposited upon or in the ground on the north bank of the Little Ossipee River by the agents of the claimants, and was presumed to be notice to all comers that said claimants had legal title and had taken actual possession. Fiction, indeed, for I find no evidence that any one but these three men (Daniel Ridlon, D. King and J. Wingate) ever after saw this token until 1845, it was found imbedded in the earth about eighteen inches below the surface near the remains of an old pine stump. It was found upon the farm of George Ford, whose widow gave it to me as a New Year's gift in 1881. I think I may well claim ownership to this deposit not only as the grantee of the finder, but also because I am a descendant in direct line from that

"Thomas Gilpartk," whose name first appears upon its face.

But I will return from my digression. In 1774, writes Folsom, historian of Saco and Biddeford, "litigation had ceased, courts were suspended," and to most men prospects were gloomy in the extreme. Sullivan again "took to de woods" and with his axe, blanket and week's provision went with other settlers to Limerick, and began felling trees to reduce his lands to a state of cultivation and to support his family. On Saturday evenings he returned (a distance of more than twenty miles) as black and as cheerful as the natives on their return from a successful hunt. Necessity in early life had acquainted him with almost every kind of labor. He handled the axe and saw, the shovel and plow equally with any one and superior to many, with cheerful resolution and forceful energy. Nobler work, however, awaited his aroused mental activities, and his avowed patriotism. The fires of the Revolutionary conflict were being kindled throughout New England and along the Atlantic coast, the blood of liberty-loving Americans was approaching the boiling point, and men of Sullivan's calibre were summoned to the legislative halls. In the spring of 1774, a few weeks after his winter's wood-chopping, Sullivan was sent as Representative of his town (Biddeford) to the General Court which that year convened at Salem. He was found among the most active members of that body promoting the independence of the Colonies and was prominent in the preparation of addresses to the

people, as well as in the establishment of laws adapted to the new order of civil affairs. At home he was equally fearless and conspicuous, for Folsom ascribes to him the authorship of certain Resolutions adopted July 30, 1774, endorsing the cutting off all intercourse with Great Britain, namely:

"At a Meeting of the Inhabitants of the Town of Biddeford the 30th Day of July, 1774 — Resolved,

"1st. Whereas the Parliament of Great Britain has for the Express purpose of raising a Revenue, and an Unconstitutional Tax, on the English American Colonies, made Several Acts highly Distressing to said Colonies in General and this Province in Particular; by which Acts the Metropolis of this Province is Blocked up and distressed: the Civil Government of the Province Altered (as far as by said Act it can be) in the most Material and priviledged Points thereof: and particularly the Invaluable Right of a Trial by an uncorrupted Jury Intirely Destroyed:

"2nd. Therefore Resolved, that the Inhabitants of this Town now Assembled will in a Resolute, Manly and determined manner, pursue all Legal and Constitutional methods as shall by the other Towns in this Province be thought Conducive to the restoration of our Natural Rights as Men and our Political Rights as Englishmen, and that no Inconvenience however Injurious to the private Interest of any of us, shall be a Sufficient cause to break this Resolution: And whereas the Committee of Correspondence for the Town of Boston has Transmitted to us Papers to be Signed by the Inhabitants of this Town, Which Papers contain certain Covenant Oaths and Agreements that the Subscribers thereto Shall break off all Commercial Intercourse with the Island of Great Britain until the Oppressive Acts aforesaid are totally Repealed: and the Inhabitants of this Town being very Sensible that there is no Method yet Pointed out which tends so much to the advancing the Opulence of this Country and happy Extrication of it from its present difficulties and Distresses as the Universal Coming into and the Religious Observation of those Covenant Oaths and Agreements, or Others Somewhat Similar thereto:

"3rd. It is Therefore Resolved that if the Committee appointed by the late Honorable House of Representatives of this Province to meet the Delegates of the Colonies in General Congress at Philadelphia or Elsewhere, And the other Members of said Congress, shall Advise to

a Universal Withdrawment of our Commerce with the Island of Great Britain until the aforesaid Oppressive Acts of Parliament shall be Repealed, we will strictly Adhere thereto, And as our Dependence under God is chiefly placed in the Steady pursuance of such wise Measures as Shall be Recommended by the Congress.

"We Therefore Resolve that whatever Measure shall be by said Congress Advised to and Complied with by the Majority of the other towns in this Province, shall be Literally and Strictly adhered to by us.

"And we further Resolve that if any Person among us shall Demean himself Contrary to any Plan that shall be Laid for our Deliverance by the Congress and agreed to by this and the Majority of the other Towns in the Province, we will have no Society, Trade or Commerce with such Person, But will Esteem and Treat him as an Enemy to his Country.

Attest, RISHWORTH JORDAN, Town Clerk."

These resolutions were adopted and spread upon the town records. The people on both sides of our river were almost unanimous in matters of difference with the mother country: their leaders were unflinching Whigs (as patriots were then called) who supported and defended in earnest determination the action of the Provincial Congress. At a town meeting, December 22, 1774, Rishworth Jordan, Esq., James Sullivan, Esq., Captain Benjamin Hooper, Thomas Gilpatrick (father of the Limerick settler, heretofore named) and Captain James P. Hill were chosen a "committee of safety and inspection."

"Mr. Sullivan was chosen, at the same time, Delegate to the Provincial Congress, and empowered to correspond with the neighboring towns. It was also voted 'that the Delegate inform the Congress that his Constituents think best to keep their own money to form a magazine of their own for their own defence. Resolved, that R. Jordan, J. Sullivan, B. Hooper, James Carlisle, Thomas Gillpatrick, Benj. Staples, Allison Smith, Josiah Stimpson, Jere. Hill jr. Simon Wingate, James Staples, Aaron Porter, Jeremiah Cole, be a committee to provide a town stock of six half barrels of Powder, 5 cwt. of lead, and a sufficiency of flints, according to the number of persons in the Train band

and Alarm list in said town, four barrels of which powder, and the whole of the lead and flints are to be kept entire until the Town shall otherwise order, or it shall become necessary to deliver the same to the said persons in the Train band or Alarm list.

"Also, Resolved, that the said committee dispose of the other two half barrels of powder at a reasonable price to such of the inhabitants of the town as have a mind to purchase the same with ready cash, to use it in defence of their Country. Voted unanimously. Attest,

JAMES SULLIVAN, Moderator."

At the same meeting Mr. Sullivan was chosen a Delegate to the Provincial Congress, where he remained until 1776.

Soon after that time he removed his family to Groton, Mass. A profound respect was ever entertained by our inhabitants for the character and talents of Mr. Sullivan from the period of his first settlement among them as a young attorney. He was himself ready to acknowledge, at a late date, when holding a high and enviable rank among his contemporaries, the obligations which their favor had imposed on him. "I have a grateful remembrance," he says in a letter to Colonel Tristram Jordan, "of the marks of confidence, and the acts of kindness done me by the people on your river, and wherever I can reciprocate their goodness, I shall cheerfully do it." The patriotic views of Mr. Sullivan, ably and eloquently expressed, on the commencement of hostilities with Great Britain materially assisted in securing a united support of the war, and a harmony and concert of action in both towns.

During this period his talent for military service was not forgotten nor ignored by his fellow citizens. November 4, 1775, the leading patriots from several

towns met at Falmouth and the record shows that "Mr. James Sullivan was chosen commander-in-chief over the militia and other companies now in the pay of the Province."

His three brothers were already engaged in the Revolutionary campaigns but James' lameness rendered him unfitted for such service; so another line of advancement opened for him. In the summer of 1775, he was selected by the Provincial Congress one of a committee of three to investigate the military conditions of Lake Champlain and Arnold's conduct of the campaign, and to direct further proceedings.

While in the legislative halls he had proved especially useful in framing laws for the new Commonwealth, and partly in recognition of such experience in November, 1777, he was appointed judge of admiralty for the Eastern District, which embraced the present State of Maine. He resigned this office in the year following that he might accept an appointment as one of the justices of the Supreme Judicial Court. At the time of this accession he was but thirty-two years of age, a notable recognition of his ability, in view of so many distinguished lawyers in the District.

In 1782 he vacated this bench and was elected a Delegate to the Continental Congress. In 1788 he was appointed judge of Probate Court for Suffolk County, an office then, as now, demanding excellent qualities and large experience.

Eight years later (1796) he was appointed attorney-general of the Commonwealth, and ably discharged

the duties of this station until 1804, in which year his canvass for the gubernatorial chair opened. He did not succeed at first attempt but became governor in 1807, was re-elected in 1808, and died December 10, 1808, while serving his second term, at the age of sixty-four years.

Other public recognition of his varied abilities are found in the following data: In 1770, two years after his advent to Biddeford, he received the appointment of king's attorney for York County; in 1779-80 he was a member of the Massachusetts Constitutional Convention; in 1787 he was of the Executive Council; he was the United States agent appointed by Washington in the settlement of the boundary line between this country and the British North American Provinces; he was the projector of the Middlesex Canal, the building of which was under the supervision of his son, John L. Sullivan; James Sullivan was a Fellow of the American Academy of Arts and Sciences and one of the principal founders of the Massachusetts Historical Society and for many years its president; in 1780 he received the degree of Master of Arts at Harvard, and in 1799 the degree of LL.D. from Brown University.

This brief summary of his official and public life was the result and is the evidence of unceasing perseverance, irrepressible activity, indomitable energy and abundant qualifications and capacity to meet the requirements of any field of public usefulness.

Nor was his busy brain content with professional, political and judicial work. He wielded the literary

pen as well. He was the author of "Observations on the Government of the United States," "The Path to Riches, or Dissertation on Banks," "Impartial Review of the Causes, etc., of the French Revolution," "History of Land Titles in Massachusetts" (in which he must have had in memory his Limerick experiences), a "Dissertation on the Constitutional Liberty of the Press," "History of the Penobscot Indians," "History of Maine." These works evince the versatility of his thought and his mental facility.

The persuasive powers of his eloquence were often recognized and were fully appreciated by the public demand. Washington was once heard to say that "when his soldiers were restless, turbulent, or discouraged, he had but to send to them one of the eloquent Sullivans, when they quickly forgot their trials and complaints, and resolved to persevere in the contest."

James Sullivan stood in the front rank as a public speaker, prompt, fluent, vigorous, popular and captivating in his appeals. He seemed endowed with executive genius and was an intrepid worker. His unflagging resolution, his rare capacity for work, his endurance, his prompt mastery of the subject in hand, his eloquence, his facility in literary composition, all these combined, prove him to have been a marvel of brain power, a man worthy to rank with the best and the busiest of any epoch, ancient or modern. His life was a noteworthy contribution to that glorious list of patriots and statesmen who founded this free government. He was a self-made man like many other

conspicuous figures of our Revolutionary period. Whatever he won was his because of his talent and energy and by dint of toil.

It is said that three forces enter into and determine the character of every man, the force of heredity, the force of environment and the force of will. Sullivan combined these forces in wonderful measure, for he had worthy ancestry, he lived in times when circumstances developed the best powers in men, and he had the will-power which could and did utilize the forces of his brain and his opportunities.

To such noble characters the nation is indebted for the establishment of this republic. From the fields of conflict they saw truth ripen into principles, and these principles into constitutional law. Living in an epoch when Washington, Hamilton, Jefferson, Franklin, Adams, Hancock and many other liberators graced the earth, Sullivan belongs to that galaxy of heroes who made possible this free republic, building it upon enduring foundations.

We rightfully inherit the accumulated glory of the past, and are proud of the record made by these fathers of liberty. We may well rejoice in the priceless heritage of all their toil and struggle, their sacrifice, their patriotism and devotion.

As we stand upon the threshold of a new century, mindful of the magnificent achievements of the past, in vivid imagination peering into the possibilities of the opening future, let us all unite in one grand, united, sincere acclaim, "The United States of America, Great Empire of Liberty, *forward*."

A PROPOSED NEW ARRANGEMENT OF NEW ENGLAND IN 1764

COMMUNICATED BY HON. JOSEPH WILLIAMSON

Read before the Maine Historical Society, May 16, 1902

[Sir Francis Bernard, Governor of Massachusetts, to the Earl of Halifax, English Secretary of State. Extracts.]

BOSTON, NOVEM. 9, 1764.

MY LORD:

Being apprehensive that very soon, if it is not at present, a new arrangement of New England may be taken into consideration, I think it is my duty to make your Lordship acquainted with my sentiments upon this subject. I have long had it in my thoughts, having been convinced that the present Distribution of the lands between New York and Nova Scotia must, sooner or later, be put under new Establishments. This business seems only to have waited for a proper time, and probably that time is now come.

The Country Westward of Boston is sufficiently well known, and so is that to the Eastward as far as Casco Bay, and also in some degree to Kennebeck River, and beyond it to the West side of Penobscot Bay. But further, it is but late that the land has been explored, only since the reduction of Quebec, and the submission of the Indians in consequence thereof has made it safe for Englishmen to visit it. And all the surveys by actual measure of the Country between Penobscot and St. Croix, that I know of, have been taken by my directions, and some of them under my own eye.

The Division of New England into Governments of suitable size and with proper boundaries, is by no means a difficult task, if it was unembarrassed with the politicks, prejudices and humours of

the People. These create some apparent difficulties, but in my opinion no more than what conduct, perseverance and authority will easily get the better of. At present I will waive the consideration of these, & only regard the topographical state of the Country and from thence conclude what would be the most convenient Division of it into separate Governments if the people in general were indifferent about it.

And first, I will suppose that the two Republicks of Connecticut and Rhode Island are to be dissolved. Without that a new arrangement of New England would be impracticable at least very imperfect.

* * * * * *

The next Province should consist of the Province of Maine and such part of Acadie as the Territory of Sagadahock as lies Westward of the River Penobscot, that is, all the country between Piscataqua and Penobscot. The length of this in a right line along the Coast is about 150 miles, tho' by a geographical parallel between the Divisional line at the head of Nychioraunock and the River Penobscot it would be considerably less, not above ——— miles. The Town of Falmouth in Casco Bay here offers itself as a very proper Capital, being 60 miles from Piscataqua, and 90 from Penobscot Bay. This town is now growing with great rapidity, it has a large trade in shipbuilding, & is becoming a principal sea port for masts; and if it was made the seat of a Government it would soon become worthy of being one. This would make a good Province, and would show at present state of one, between infancy & maturity.

The third Province would contain the remainder of the Territory of Sagadahock, with so much of the Continent of Nova Scotia as shall be thought proper to add to it; for instance from the River Penobscot to the River St. Johns. This would be not less than 180 miles in a strait line, due West and East, which is the course of a great part of the coast. This would truly be an infant Province, and a very helpless one too. The whole of this Tract would at this time have been an uninhabited waste, if

it had not been for the efforts of the Province of Massachusetts Bay about 3 years ago, to settle 13 Townships on the East side of Penobscot; the grants of which still want His Majesty's Confirmation, upon account of the Province title to make such grants being questioned. In some of these towns there are several settlers at a considerable expense, at one particularly, where money & spirit have not been wanted, 60 families, the whole required by the terms of the grant, are settled at the expense of L1000 sterling out of the pocket of two or three persons only. Nevertheless I don't believe there are above 150 families in all these Townships (including the Island of Mount Desert where there are at present about 20 families) which together with about 30 families in the Bay of Machias, who are settled under no authority at all, make in the whole 180 families. All these except 1, 2, or 3 leading men in each Township, are extremely poor and worth nothing but their lot of land, and the miserable dwelling, with the little clearances they have made upon it. This is a true state of the Country between Penobscot & St. Croix, the whole length of which I have reconnoitred in person.

It seems therefore too early to make a separate Government of this Country at present, tho' it may be very proper even now to make a designation of it, and even to form the plan, to be executed when it has a sufficient population. In the mean time it may be best to let the parts which are to compose this Government, be divided by the bounds of Nova Scotia, that is, that Country which lies on the East of St. Croix to remain to the Government of Nova Scotia, and that Country which lies on the West of St. Croix to remain to the Government of Maine and Sagadahock; and let them be settled under these respective Governments, untill they have acquired a sufficient number of people to make one of their own. As for a Capital, it would be too early to determine upon that now, it would be perhaps the best way to let the several Towns advance themselves as they can, and then pick and choose among them. At present for the situation of a Capital we should balance between the Bay of St. Croix (or more properly the Bay of Passamaquoddy) and the

Bay of Machias. The former I know very well, having lived there at Anchor 4 days, and having had the whole of it to the Westward of the River St. Croix surveyed and planned. The Bay of Machias I know only by report and a Sea view of it, not being able to go in for want of a pilot who knew it.

Having gone through the Topography of the Country I must return to the Westward, to take notice of the difficulties which the politicks, prejudices & humours of the people may create there. And these seem all to arise from the bad policy of establishing forms of Government in the British Dominions. It was a strange oversight in Charles the Second, when Monarchy was restored in Great Britain, to confirm the Republicks in America. Hence has arisen a notion that the people on one side of a River have a right to a greater degree and a different mode of liberty than their fellow subjects on the other side. Hence it will probably will be that the Western parts of Connecticut will be unwilling to be united to New York, and the Province of Maine will be unwilling to be separated from the Massachusetts. But if the form of the Massachusetts Government should be so far altered as to remove the little remains of its republican cast, the distinction between that and the adjoining Governments would be less regarded. As for the Religious Divisions, they are become so entirely subservient to politicks that if the state of the Governments is reformed and a perfect toleration secured, Religion will never give any trouble.

Your Lordship knows perhaps that it is my opinion that the most perfect form of Government for a mature American Province remains still to be designed.

The Desideratum is a Third Legislative Power, which shall be, or at least appear to be, independent of the King & People. Without this the Constitution of an American Government is not made so similar to that of the Mother Country as it is capable of being, and therefore hath not received its greater possible perfection. To effect this, the Functions of the present Council should be separated & that Body divided into a Legislative Council & a Privy Council the former to be appointed by His Majesty for life

removeable only for misdemeanours by the Judgement of their own body; the latter to be appointed by His Majesty during his pleasure, and to be composed of the Members of either House or of persons belonging to neither as there shall be occasion.

PAUL LITTLE, ESQ.

BY SAMUEL T. DOLE

Read before the Maine Historical Society, November 20, 1902

Without doubt one of the most valuable and influential citizens Windham had in its early history was Paul Little, Esq. He was born in Newbury, Mass., April 1, 1740, grew to manhood in that town, and in early life learned the goldsmith's trade. After the time of his apprenticeship had expired he came to Falmouth (now Portland) and took up his residence there, locating himself on King Street, where he had a house and shop. This was in the autumn of 1761. May 20, 1762, he married his first wife, Miss Hannah, daughter of Stephen Emery, of Newbury.

In addition to his trade as a goldsmith, he appears to have carried on quite an extensive business as a grocer and general dealer. This I infer from his old account book, which came into my possession several years ago, and is a veritable literary curiosity. It was purchased by a friend of mine from the administrator of the estate of one of Mr. Little's great-granddaughters. The book measures sixteen inches in length, and six and one-half in width, and contains three hundred and twenty-five pages firmly bound in parchment. It was evidently one of a series kept by Mr. Little, as the fly-leaf bears the following legend written in a fine, symmetrical hand: "Paul Little,

His Book, Ledger B." The first thirty or forty pages bear the names of many well-known and prominent citizens of Portland, who flourished in that faraway time. In order to give some insight into Mr. Little's business, I will copy verbatim the first account that occurs in the book.

"1771.	John Waite, Dr.	£.	s.	d.
January 11,	To mending 1 buckle,	0.	7.	6.
June 24,	To 1 Pare of Brass Dogs,	1.	5.	0.
August 5,	To 1 Pare of flooks, delivered to Ichabod Davis,	0.	10.	0.
August 20,	To Tipping 1 Litening Rod,	2.	5.	0.
1774.				
July 22,	To one-half m. 20d nailes,	2.	0.	0.
1775.				
January 25,	To 245 wate of Pork @ 2s 6d,	30.	10.	6.
" "	To order from James Brackett,	3.	10.	3.
		£40	10	3.
1775.				
May 1,	To 1 Barril of Pork,	29.	5.	0.

Mr. Waite's credit appears as follows :

1771.		£.	s.	d.
August,	By 1 Gallon ?	1.	8.	0.
"	By Rum,	2.	10.	0.
1775.				
January 30,	By Cash in full,	36.	12.	6.
		£40.	10.	3.
July 10,	By Cash,	£29.	5.	10.

In 1774 and 1775 he sold to Enoch Moody "nailes, cheese, candles, vinegar, West India Rum and gimblets." On Moses Shattuck's account appear the following items, viz.: "Brandy, lofe sugar, lard, pork and lemons." The name of Peason Jones appears several times and his account, among other things, contains "one Iron Pot, weight 40 lbs," then follow

such items as brandy, sugar, candles and earthen pans. In November, 1772, he mended a watch and buckle for Robert Pagan, and sold him goods amounting to sixty-five pounds three shillings and sixpence, among which we find "pork, silver buckles, limes and W. India Rum." Thomas Scales' account consists of "tobacco, snakeroot, aniseed water," four one-gallon "Caggs" and "chockolate." Moses Plummer bought of Mr. Little, among other articles, "pepper, alspice, sugar, eggs, a pare of knee buckles, copperas, W. I Rum and wine." On November 25, 1774, Jeremiah Coffin is charged with one-half pint of "sperrets" and "2½ cakes of Gingerbread," which is the only time his name appears in the book. Mr. Coffin's bill amounted to four shillings seven pence, old tenor, and the credit side of the ledger shows that he paid it in full.

The foregoing selected at random from the old book gives a slight idea of Mr. Little's somewhat miscellaneous business, which appears to have been prosperous, and constantly increasing until the latter part of July, 1775, when, probably, on account of troubles with the mother country, there is a marked falling off in his charges. However, he appears to have kept open shop until the town was on the point of being destroyed by Mowat, as I find that October 17, 1775, or on the day before the bombardment, he charges Captain Richard Mayberry, of Windham, with quite a large bill of "sperrets." Captain Mayberry, according to a tradition of the family, had been quite active with his company, in what is

known as "Thompson's war" in May, 1775, but at the time of which I write was lieutenant of Captain Samuel Knight's company of Windham soldiers, who were acting as coast guards during the closing months of 1775. He afterwards commanded a company in the Continental army and served three years. Quite likely the liquor he purchased of Mr. Little was used to treat his soldiers. Mr. Little's buildings were burned, and his loss estimated by the committee chosen to examine and liquidate the accounts of the sufferers, at six hundred and eighty-three pounds, of which five hundred and ten was the loss on buildings, and the remainder on his personal estate.

At just what time he came to Windham I am unable to say positively, but I find his name on the list of tax-payers of Windham for the year 1776. He purchased a large tract of land about one and one-half miles north-easterly from the present village of Little Falls, on which he erected a large and commodious set of farm buildings, of which the dwelling-house, but slightly modernized, is still standing, and soon became an active and highly honored member of the community. After he settled in Windham, Mr. Little evidently carried on a business similar to that he had formerly conducted in Portland, excepting that I find no account of his work as a goldsmith, as, in all probability, the work of clearing and improving his farm and building his house occupied most of his time, to say nothing of the fact that his neighbors were too poor to indulge in any of the superfluities of life at that period of Windham's history. He evidently kept

a full line of groceries and the old account book is filled with the names of prominent Windham men who dealt more or less with him through a long term of years. Thus we find that in 1776, he sold to Elijah Hanson "Rum, Sugar, Tobacco and a Pare of Garters," to Eli Webb "Rum, Syder, Chocolate and a Pare of knitting needles." Among other things, he charges Captain David Barker with "one Quart of Rum, two Pare of Hinges, Two Pare of Worsted Stockings and two hundred four penny Nales." Thomas Millions bought of Mr. Little, "Potaters, Peas, flax sead, Lamb, Veal, Pork and Rum." The redoubtable Stephen Manchester of Indian fame has a long account, commencing in April, 1779, and closing in July, 1789, from which it appears that Mr. Manchester must have been the original temperance man of that day and generation, as among the numerous items that appear on his account no charge for any kind of ardent spirits can be found, a rare circumstance, considering the fact that almost every page of the old book is full of such charges. The well-known Colonel Timothy Pike was one of Mr. Little's regular customers for several years and we find him charged with "Tobacco, Corn, Bords, Beef, Pork, Rie and Rum." While to the writer's great-grandfather, Deacon Richard Dole, he appears to have sold everything that had a marketable value, from a yard of pig tail tobacco to a barn-frame.

The first notice I find of Mr. Little in public life was in 1778, during the dark days of the war for independence, at which time he was one of the

Committee of Safety and Inspection. At the annual meeting held in the old Province fort in March, 1779, he, with Colonel Timothy Pike and Captain Caleb Graffam, were chosen selectmen, and at the same meeting Mr. Little was chosen town treasurer. The next year he was one of the committee of safety, in which capacity he was very active in promoting the welfare of those townsmen who were serving in the Continental army. He was selectman in 1781, town treasurer in 1782 and 1783. In 1789 and 1790 he served on the board of selectmen, and again in 1802, 1803 and 1804. In addition to his other business, Mr. Little was for many years the principal justice of the peace in town, and numerous charges in the old account book testify to the fact that he was popular as a magistrate, also that he did a large amount of legal work for the citizens of Windham, as well as for those of Gorham, Gray, Westbrook and Raymond. At just what time he was appointed a justice I have not been able to ascertain; the first mention I find of his serving in that office appears on the town records as follows:

"May 30, 1791, Mr. Joseph Swett & Miss Deborah Sinnet, both of Windham was married by Paul Little, Esq.

Caleb Rea, *Town Clerk.*"

On his account book are to be found the following entries:

"Nov. 6, 1791, Samuel Lord, Dr. to Giving you your oath to your faithful Discharging the trust Reposed in you as Clark of this Company."

What sort of company this was I have no means of

knowing. Mr. Little's fee for the above service was "one shilling," which, judged by the present standard of official costs and fees, certainly does not appear exorbitant. November 24, 1701, he charges William Elder as follows:

"To writing a Letter to David Hawkes for abusing your wife."

For this the charge was one shilling. December 5, of the same year, he charged Mr. Elder for "a sute between you and Hugh Woodbury," his fees being seven shillings and five pence. From this time until near the close of his life, we find him busy with business relating to his duties as a magistrate, and his account book contains charges against many well-known citizens for administering oaths, filling out writs, attending court, writing and acknowledging deeds, settling estates or acting as a referee in some dispute between his neighbors. His last charge for legal service that I find was as follows:

"Jan. 28, 1806, Ellis Standish to Paul Little, Dr. to filling and renewing one Execution against Samuel Estes in favor of Butterfield,"

for which service he received somewhat later the magnificent fee of twenty-five cents.

On the town records can be seen a list of marriages performed by "Squire Little," which, by actual count, number one hundred and ninety-four, the most of whom were residents of Gorham and Windham. I have already noticed the first marriage solemnized by him on May 30, 1791. The last couple he united was Joseph Estes Dolley and Esther Manchester. The record of this marriage bears date of January 16,

1813, and the contracting parties were both of Windham, where they settled and where several of their descendants still reside. It has been said that Esquire Little performed more marriage ceremonies than any other justice before or since his time, and I believe the statement is true; at least, I have been unable to find anything to the contrary.

Mr. Little was married three times. His first wife, as previously stated, was Miss Hannah Emery, of his native town of Newbury, to whom he was married May 20, 1762. They had two children: First, Hannah, born May, 1763, died August 24, 1839. She married Stephen Emery, of West Newbury. Second, Paul, born August 8, 1767, married, April 22, 1792, Mary Osgood. Settled in Windham, where he died January 5, 1849. She died September 16, 1819. Mrs. Hannah Emery Little died September 4, 1771. August 30, 1772, he married Mrs. Sarah Norton, widow of Timothy Souther or Southern. She died September 26, 1797, leaving four children, viz.: Mary, born September, 1775, died November 10, 1786; Timothy, born October 27, 1776, afterwards a noted physician and surgeon of Portland, where he died November 27, 1849; Moses, born January 7, 1782, settled at Windham Hill, where he died July 31, 1866; Thomas, born November 27, 1787, was at one time a grocer at Windham, said to have been the best informed man on general matters in town. He died, I think, in Portland, June 19, 1857. Esquire Little's third wife was Mrs. Sarah

Emerson. On the Windham records we find the following:

"Paul Little, Esq., of Windham and Mrs. Sarah Emerson of Poland, Intends Marriage.

Windham, July 20, 1799. Richard Dole, *Town Clerk.*"

As no record of the marriage can be found in this town, it is presumable that it took place at Poland. They had one child, a daughter named Sarah, born March 20, 1802, who married Oliver Gerrish, the well-known watchmaker and jeweler of Portland. The following is a true copy of the record as it appears on the town book of marriages:

"State of Maine. Be it remembered that at Windham, in the County of Cumberland, on the 6th day of January in the year of our Lord, 1825, Oliver Gerrish of Portland and Sarah Little of Windham were duly joined in marriage by me. Gardiner Kellogg, *Minister.*

A true copy, attest. Gardiner Kellogg."

Mrs. Sarah Emerson Little died May 23, 1817, and Mr. Little closed a long and honorable life February 11, 1818, aged seventy-eight years. He was a man of marked ability, kind and cordial in his intercourse with his fellow men, and left many friends to mourn his departure. He came to Windham at a most interesting and critical period of the town's history, and at once entered with zealous honesty upon a course that rendered him a valuable and trusted public servant. "Truly there were giants in those days."

THE ATTITUDE OF MAINE IN THE NORTHEASTERN BOUNDARY CONTROVERSY.

BY HENRY S. BURRAGE, D.D.

Read before the Maine Historical Society, January 2, 1903

In an extended monograph recently published by the Royal Society of Canada, Professor William F. Ganong, of Smith College, has called attention anew to the questions pertaining to the Northeastern Boundary of the United States. Professor Ganong is a native of New Brunswick, but in his work he has divested himself of partisanship to such an extent as to give us impartial judgments with reference to the various controverted points which for so many years not only disturbed the relations existing between Maine and New Brunswick, but also the relations existing between the United States and Great Britain. In this Professor Ganong is worthy of commendation, for, as he says:

"Unreasoning partisanship is the natural condition of the human mind; it is the condition of least resistance, the condition of relaxation to which the mind always reverts when occupied with other matters. The judicial, non-partisan condition is the unnatural condition, the condition of tension which can be maintained only by constant effort. It is so much easier, and therefore more agreeable, to believe one's enemy wholly wrong and one's self wholly right, than to try to determine whether the enemy may not in something be right and one's self in something wrong that most people, fully occupied with other matters, naturally assume that attitude in most controversial questions coming within range of their interests."[1]

[1] A Monograph of the Evolution of the Boundaries of the Province of New Brunswick, pp. 141, 142.

But while Professor Ganong has succeeded so admirably in divesting himself of unreasoning partisanship in his study of the history of the controversy concerning the northeastern boundary of our State and Nation, he allows himself, in a criticism of the attitude of the State of Maine, to do a very great injustice to one of the parties in the dispute to which the boundary question gave rise. The legal claim made by Maine with reference to the northeastern boundary, Professor Ganong says was a rightful one. The following is his summary of the facts:

"(1) The original charters, documents, maps, etc., when calmly examined by themselves (not as quoted and commented upon by the partisan advocates of either side) seem to me to point irresistibly to this conclusion.

"(2) The principal men of New Brunswick, those whose duty made them examine minutely into all the documents of the case, namely, Governor Carleton, Ward Chipman and Edward Winslow, all admitted without the least question the full American claim; they realized fully the disadvantages of the boundary thus allowed, but hoped to remove them by some special arrangement.

"(3) The New Brunswick Legislature in 1814 admitted the American claim, and petitioned the British Government to have an alteration made in the line at the pending Treaty of Peace; the British Government in the same year admitted the American claim, at least in part, in asking for a cession of territory, to preserve the communication from Quebec to New Brunswick (page 314).

"(4) The British claim to the Mars Hill Highlands as a boundary did not make its appearance until after 1814; it was tentatively advanced in 1815, had not been elaborated in 1817, and made its first formal appearance in the controversy in 1821 in the argument of Ward Chipman, who, in one of his private letters, speaks of it in such a way as to imply that it was being formulated by himself. Why, if this was the true boundary, did not Great Britain advance it earlier in the controversy?

"(5) As will be shown later in this paper as soon as the treaty of 1842 was signed, an active dispute arose between New Brunswick and

Quebec as to their interprovincial boundary, and New Brunswick claimed as her northern boundary the highlands south of the St. Lawrence; but since, by the treaty of 1783, the western boundary of New Brunswick was the eastern boundary of Maine, this was granting the Maine claim. Quebec, on the other hand, claimed as a boundary the Mars Hill Highlands; if Great Britain's claim to an international boundary on those highlands was correct, then Quebec's claim was correct, but Great Britain never admitted it. During the controversy the agents of both sides more or less distinctly admitted the justice of the American claim. The provinces could not agree, and a commission was appointed by the British Government consisting of two Englishmen and a Nova Scotian, and in 1848 they rendered their decisions, in which they asserted that the disputed territory belonged legally to neither party, but was a part of the ancient province of Sagadahock [and therefore of Maine] (Blue Book of 1851, 93), and they proposed to divide it between the two provinces. The same opinion was reasserted by Travers Twiss, an eminent Englishman, on the final arbitration which settled this boundary in 1851 (Blue Book, 76), when he said that the country south of the St. Lawrence watershed, and west of the north line belonged to neither province, but to the British crown. This territory was divided between Quebec and New Brunswick."[1]

Maine's loss in being deprived of the legal right thus accorded to her by Professor Ganong was by no means inconsiderable and is indicated in his further statement (p. 304):

"Had Mitchell's map proven to be accurate, or had the commissioners had an accurate modern map before them so they could have made their description accurate, or had they annexed a marked copy of Mitchell's map to the treaty, the controversies over the question could not have arisen, and Maine would, I believe, include the Madawaska region and would extend to the highlands south of the St. Lawrence."

But while conceding the rightfulness of the legal claim advanced by the State of Maine throughout the

[1] Evolution of the Boundaries of the Province of New Brunswick, pp. 350, 351. This fact was brought to light by Professor John Bassett Moore, of Columbia University, in the discovery of a report of the Royal Commission on the controversy between New Brunswick and Canada, a report, which in spite of its reservation of opinion with reference to the Maine boundary, is a practical demonstration of the correctness of Maine's contention.

northeastern boundary controversy, Professor Ganong severely criticises her conduct as a party in the controversy. He says:

"But while I think Maine's legal right to her claim is clear, I can by no means justify the conduct of Maine in endeavoring to force these extreme rights. Her right to the territory in dispute was not due to her discovery, exploration or settlement of it; it was purely accidental. Moreover, the territory was of comparatively slight value to her; she had not a settler upon it nor a road to it for half a century after the treaty was signed. On the other hand, it was settled in good faith by British subjects, and was not simply valuable, it was invaluable to Great Britain. That under these circumstances Maine insisted upon the uttermost letter of her rights, refusing all accommodation until any other settlement was hopeless, is by no means to her credit. If Great Britain appears to disadvantage in employing diplomacy to save what she legally had lost, in another way Maine appears to at least equal disadvantage in her Shylockian even though legal policy."[1]

This is a serious reflection upon the conduct of the State of Maine in the northeastern boundary controversy. The character of Shylock as it is made to manifest itself so clearly in Shakespeare's "Merchant of Venice" is that of a cold, selfish, heartless, grasping Jew. He is the depository of the calculating, unrelenting vengeance of all his race — a good hater, stung to madness by repeated undeserved provocations, and laboring by one desperate act of lawful revenge to throw off the load of obloquy and oppression heaped upon him and all his tribe. His religion, his avarice, his affection, all concur to stimulate his hatred. The pound of flesh he will have, and the only reason he will give for taking it is "if it will feed nothing else, it will feed my revenge." It is the spirit of such a man, according to Professor Ganong,

[1] Evolution of the Boundaries of the Province of New Brunswick, p. 353.

that characterized Maine's participation in the controversy which the northeastern boundary question awakened.

But is this a just characterization of the spirit manifested by the State of Maine in this controversy? The men who had a part in the discussion of the questions connected with the boundary dispute are no longer with us, and they cannot defend themselves against this reflection upon their conduct in a great international contention. But the good name of the State is dear to us all, and it is certainly worth our while to inquire whether the facts justify the charge which is now brought against the State in a work of such permanent value as that which Professor Ganong has produced in his "Evolution of the Boundaries of the Province of New Brunswick."

The position which Professor Ganong takes is this: that Maine by treaty came into the possession of a piece of territory which had an immense northerly prolongation extending into the British dominions. The possession of this tongue of land was an incidental fact consequent on the way boundary lines happened to run in earlier documents. The territory to which Maine laid claim was not discovered, bought or otherwise acquired by any action on the part of the State, nor had any one of her citizens a residence or other interests there. In other words, it was a windfall, so to speak. Inasmuch, therefore, as Maine refused to part with the territory thus secured — territory which was invaluable to Great Britain as affording a means of communication between two of its provinces, Maine

acted a Shylockian part; that is, in a cold, selfish, heartless, grasping way she insisted upon the utmost limit of her claims, demanding, as did Shylock, the pound of flesh.

But is this a fair statement of the case? For example, does not Professor Ganong in minimizing Maine's interest in the disputed territory overlook important considerations? It is at once granted that the territory covered by Maine's claim did not come to her by right of discovery, exploration or settlement. Nevertheless, from the time of the treaty of 1783, Maine had a deep and abiding interest in that territory. Indeed her interest antedates the Revolutionary period. The colonists in the District of Maine, as well as in other parts of New England, had very decided opinions with reference to the presence of the French in Canada and the maritime provinces. They participated in the capture of Louisburg in 1744, in the expulsion of the Acadians in 1755, and in the War of the Revolution to which the French war led up and made inevitable. If there was any one thing that was uppermost in the minds of the men of Maine throughout the colonial period it was that Great Britain, not France, was to exercise dominion on this western continent. Indeed, it was the one great hope of our fathers in the Revolutionary struggle that Canada and the maritime provinces would form a part of the new nation. When the war closed leaving British possessions to the northward and eastward of the District of Maine the boundary line was not a matter of slight importance on this side of the border.

Though Maine had not a single settler within the limits of the disputed territory for many years after the treaty of 1783, she understood clearly the value and importance of the territory which treaty rights secured to her. Her strenuous maintenance of the rightfulness of her claim is a witness to this fact.

We need not linger long over Professor Ganong's statement that there were British subjects in the territory claimed by Maine and that on this account also Great Britain had "rights" which should have been recognized by us. These British subjects were of French descent largely if not wholly. They were Acadians who after exile had found their way back to places with which they were familiar in their earlier communications with Quebec. In the very beginnings of the boundary controversy, long before Maine became a State, it was conceded by the British that these settlers were on American soil. Indeed Professor Ganong himself cites a letter written in 1799 by Edward Winslow, secretary of the St. Croix Commission, and whom Professor Ganong calls "one of the best informed men of the time in New Brunswick," in which, referring to the award of the Commission, Winslow says: "As it is we lose not a single British settlement. A few miserable Frenchmen at Madawaska on the route to Canada fall within their territory." Indeed, up to the time of the treaty of Ghent, in 1814, the British admitted that these French settlers were living on American soil, and held it to be of no importance that they were there. In fact they were

settlers who had proved themselves so undesirable that they had been banished for disloyalty. With what show of reason, therefore, is the statement now made that Maine acted a Shylockian part in not recognizing certain "rights" of Great Britain based on the presence of these French settlers on the fertile lands of the Madawaska!

But the weight of Professor Ganong's charge against the State of Maine in failing to recognize "any other kinds of rights" than legal rights in the northeastern boundary controversy is to be found in his statement that the territory claimed by Maine "was not simply valuable, it was invaluable to Great Britain." The rightfulness of Maine's legal claim to this territory is fully admitted by Professor Ganong as we have seen. It was conceded by the British themselves long after the value of the territory within the northeastern angle of the boundary of Maine was discovered by Great Britain. For example, when the War of 1812 came to a close, the House of Assembly of New Brunswick, under date of February 15, 1814, took the following action:

"Resolved that the Council be requested to appoint a committee to meet a committee of this House for the purpose of preparing an humble petition to His Royal Highness the Prince Regent, praying that when a negotiation for peace shall take place between Great Britain and the United States of America His Royal Highness will be graciously pleased to direct such measures to be adopted as he may think proper to alter the boundaries between those States and this Province, so as that the important line of communication between this and the neighboring Province of Lower Canada, by the River St. John, may not be interrupted."[1]

[1] Evolution of the Boundaries of the Province of New Brunswick, p. 314.

There could not be any better evidence than is afforded by this resolution in proof of the statement that at that time in New Brunswick it was generally understood that according to the treaty of 1783 and the decision of the St. Croix Commission in 1798, the legal claim of Maine with reference to her northeastern boundary, because of the terms of the treaty of 1783, was indisputable.

But, says Professor Ganong, this claim covered territory that was "not simply valuable, but invaluable to Great Britain," and so though Maine had a legal right to this territory other "rights" came into view, and these should have been recognized by the State of Maine.

The value of this territory to Great Britain is conceded. The land in dispute afforded a natural line of communication between Canada and Nova Scotia by way of the St. John River, the Madawaska and Lake Temiscouata, thence by a road, following an ancient Indian trail, to the St. Lawrence, and its possession by the United States could not but be regarded as a serious matter. Professor Ganong says:

"This route had been used in the earliest times by the Indians, was extensively used later by the French, was adopted by the English at the time of the Revolution, and soon after was partially settled by them. Not only is it the most direct and much the easiest route, but it was positively the only one available except the very long roundabout difficult and well nigh impracticable route by the Bay of Chaleur and the Metapedia valley, now followed by the Intercolonial Railway, but then so distant and through such a savage country as to be practically out of the question. The importance of the communication along the St. John and Madawaska, however, consisted not simply in its being by far

the shortest and most direct route from Quebec to Nova Scotia, but also in the fact that it was the only possible route in winter when the navigation of the St. Lawrence was closed by ice; and therefore all through the winter it was not only the route to Nova Scotia but the only possible route through British territory to England. In times of peace the mails could be sent to England by courtesy of the United States through American ports, but military men foresaw that in time of war this would be impossible, and as a military measure the communication with England by way of the Madawaska and St. John must be kept open at all hazards."[1]

But this territory, likewise from a military point of view, was valuable also to Maine and to the United States. In two wars with Great Britain, we had already tested our strength with the mother country, and the possibility of another conflict could not be overlooked. George Evans, in a speech in the National House of Representatives, February 7 and 8, 1838, well said:

"This subject in all its bearings is one interesting and important to the whole Union. It is not a matter of light interest, where the line which separates it from a foreign Power — a rival now, and hereafter, possibly as heretofore, an enemy — should be fixed. We have seen with what tenacity Great Britain clings to the object of obtaining a '*small portion of waste country*,' only as a means of communication between the Provinces — doubtless a measure to her of great importance and strength; and just in the same proportion, a measure to us, if yielded to, of insecurity and weakness."[2]

This was the view which had again and again found expression on the part of the people of Maine. It was a view which could not but be impressed most forcibly upon the attention of our citizens in any consideration of the questions arising in the boundary controversy.

[1] Evolution of the Boundaries of the Province of New Brunswick, pp. 305, 306.

[2] Speech upon the Subject of the Northeastern Boundary, Washington, 1838, p. 34.

But though Maine from time to time in the progress of the boundary controversy stoutly asserted her rights in accordance with the provisions of the treaty of 1783, there are facts which make it abundantly clear that this assertion of rights was not made in a Shylockian spirit. Thus an attempt to settle the boundary questions by arbitration in accordance with the provisions of the treaty of Ghent was commenced by the government in 1826, a convention was completed in the following year, and this was formally ratified in 1828. Yet Maine, though opposed to arbitration, believing that as in such cases generally the decision would be made not in accordance with the principles of law, but from an endeavor to find some middle ground between the contending parties, acquiesced in the action taken by the national government. The arbitrator was the King of the Netherlands, and his decision, as was expected, was in the nature of a compromise; but though his award was acceptable neither to Maine nor to Massachusetts which also had rights in the questions at issue, it proved not to be acceptable to the Senate of the United States, which by a vote of thirty-five to eight resolved that the award was not obligatory, and advised the President to open a new negotiation with Great Britain for the settlement of the boundary controversy. The attitude of Maine in this matter seems not to have been different from that of most of her sister States.

When again in 1832 in a new attempt to settle the boundary question, the government of the United States sought to obtain from Maine a free hand in the

matter, the response of the State was both prompt and cordial. The following is the resolve which was passed by the Legislature and approved March 3, 1832:

"Whereas information has been communicated by the Agent of the state at Washington, that it is proposed that Maine should cede to the United States her claim and jurisdiction over that portion of territory which lies Northerly and Easterly of the line recommended by the Arbiter, for an angle indemnity, in order that the United States may be enabled to make such an arrangement with Great Britain as may best comport with the interests and honor of the United States:

"And whereas, the Government of Maine has repeatedly declared that the right of soil and jurisdiction in said territory according to the provisions of the treaty of 1783, is in the State of Maine, as a sovereign and independent State, and has denied, and continues to deny, the right of the General Government to cede the same to any foreign power without the consent of Maine, and has communicated Resolutions to that effect to the General Government, and has claimed of that Government the protection guaranteed to every state by the Constitution of the United States:

"And whereas the Legislature of Maine is disposed to regard the proposition aforesaid, as emanating from a disposltion on the part of the General Government, to promote the interests and to preserve the peace of the nation, without violating the rights of Maine, or disregarding the obligation resting upon the whole Union to protect each State in the full enjoyment of all its territory and right of jurisdiction, and willing to meet the proposition in a like spirit in which it is believed to have been made:

"Therefore, Resolved, That upon the appointment by the President of the United States, of a person or persons to enter into negotiation with this State for the relinquishment, by this State to the United States, of her claim to said territory and for the cession of the jurisdiction thereof, on the one part, and for an angle indemnity therefor, on the other part, and notice thereof being communicated to the Governor, the Governor, with advice of Council, be and he is hereby authorized and requested to appoint three commissioners on the part and in behalf of this State, to treat with such person or persons, so appointed by the President, on the subjects aforesaid, and any agreement or treaty, to be made in pursuance of this Resolve, is to be submitted to the Legislature of Maine for approval or rejection, and until such agreement or

treaty be so submitted to and approved by the Legislature of Maine, nothing herein contained shall be construed, in any way, as implying the assent of this State to the line of boundary recommended by the Arbiter, or to the right of the General Government to adopt or sanction that line instead of the line described in the treaty of 1783.

"Resolved, That the Governor be requested forthwith to communicate the foregoing Preamble and Resolution, confidentially, to the Agent of this State, at Washington, and also to the Executive of the Commonwealth of Massachusetts, to afford to that Commonwealth the opportunity of adopting such means as she may consider expedient in relation to her interest in said territory."[1]

Professor John Bassett Moore, of Columbia University, in his great work on "International Arbitrations,"[2] published by the government of the United States, says:

"It was proposed that the legislature of Maine should provisionally surrender to the United States all territory claimed by the State north of the St. John and east of the River St. Francis, Maine to be indemnified by adjoining territory for the ultimate loss of any part of the territory thus surrendered, and, so far as the adjoining territory should prove inadequate, by Michigan lands, at the rate of a million acres of such lands for the whole of the territory surrendered, the lands thus appropriated to be sold by the United States and the proceeds paid into the treasury of Maine."

And Mr. Moore adds:

"An agreement or 'treaty' to this effect was actually signed in 1832 by Edward Livingston, Secretary of State, Louis McLane and Levi Woodbury, on the part of the United States, and by William Pitt Preble, Ruel Williams and Nicholas Emery, on the part of Maine. It never was ratified. Nor did the fact that it was concluded become public till long after the transaction had failed."(3)

There is nothing, so far as I am aware, to show that Maine was responsible for this failure, while the

[1] Document 27, Eighteenth Legislature, pp. 35, 36.

[2] Vol. I, p. 138.

[3] See Senate Ex. Doc. 431, Twenty-fifth Congress, Second Session.

action of the Legislature of the State is an unimpeachable witness to the fact that Maine as early as 1832, while insisting upon her rights under the treaty of 1783, was willing to consider a proposition for the relinquishment of her claim to the territory in dispute on the ground of a suitable indemnification. This of itself is sufficient to show that in this boundary controversy Maine was not actuated by a "Shylockian" spirit.

In 1839, in his message to the Legislature of Maine, Governor Kent said: "I have no doubt that the mode proposed to Great Britain of establishing the treaty line upon the face of the earth by a commission composed of impartial scientific men, to be selected by a friendly power, would be satisfactory and acquiesced in by this State." There is certainly no indication of a "Shylockian" spirit in these words.

Nor do I find any evidence of the manifestation of such a spirit on the part of Maine in the final negotiations between the United States and Great Britain in reference to the northeastern boundary question. Pending these negotiations, notwithstanding warlike preparations along the border, General Scott had no difficulty in bringing about an arrangement between the authorities of Maine and New Brunswick, for the preservation of peace until the question of jurisdiction should be settled. In the spring of 1842, Lord Ashburton arrived in Washington with full powers, as a special minister, to settle the boundary and all other questions in controversy between the two governments. Maine was represented during these negotiations by the following commissioners: William Pitt

Preble, Edward Kavanagh, Edward Kent and John Otis. Maine was still opposed to any compromise of her territorial claims, but she was not unwilling to listen to terms of settlement recognizing her right to indemnification. During the negotiations the idea of territorial exchanges, which had been brought forward, was abandoned, and another mode of compensating Maine and Massachusetts was adopted. When the line as finally drawn was made known to the commissioners of Maine and Massachusetts Mr. Webster said "he was authorized to say that, if the commissioners of Maine and Massachusetts would assent to the line proposed, the United States would undertake to pay these states the sum of $250,000, to be divided between them in equal moieties, and also to undertake the settlement and payment of the expenses incurred by them in maintaining the civil posse and in prosecuting a survey which they had found it necessary to make. On these terms, with the addition of $50,000 to the compensation offered to Maine and Massachusetts, a settlement was finally effected with the assent of the commissioners of those states."[1]

I do not forget that Professor Ganong, in charging Maine with adopting a "Shylockian" policy in the northeastern boundary controversy, admits that Maine assented to accommodation finally, but he tells us that this was only when "any other settlement was hopeless."[1] This statement, I claim, receives no justification from the facts. Indeed, Professor Ganong

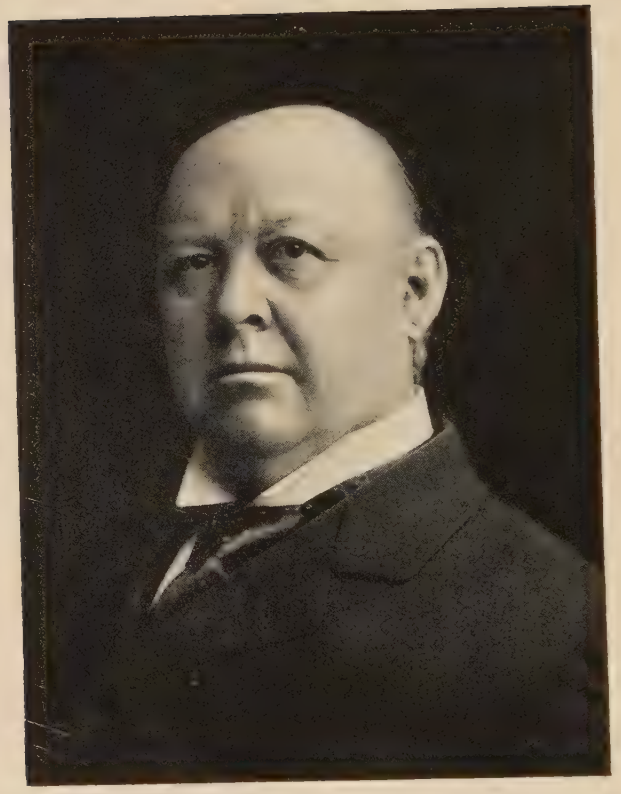
[1] Moore, International Arbitrations, Vol. I, p. 151.

[1] Evolution of the Boundaries of New Brunswick, p. 353.

himself, in his reference to the final decision, says: "Maine was in part compensated by a large sum paid her by the United States, though it must by no means be inferred that this prompted her decision, for her stand in the matter had unquestionably been taken upon principle, and her consent was given for the good of the Union."[1]

In all probability some things were learned by Maine in the progress of the controversy, but a review of all the facts, I think, justifies the opinion that her stand in the matter was upon principle throughout the boundary discussion. She had good reasons for her conviction that she was right in her contention. But she was as ready to listen to suggestions of indemnification in 1832 as in 1842; and the messages of her governors, and the speeches of her senators and representatives in Congress, bear witness to the fact that the welfare of the State and Nation was the object she had in view first, last and always. At no period of the controversy did she act the part of a Shylock. Neither selfishness nor avarice characterized her actions. At critical periods of the controversy she declared her willingness to make concessions which were deemed desirable for the sake of the larger interests of the Nation, and in the decisive hour she made these concessions. But her course was consistent and patriotic from the beginning of the controversy to its close, and it was because of her firm and intelligent action that the British claim was not pushed to a successful termination.

[1] Evolution of the Boundaries of New Brunswick, pp. 346, 347.



HON. THOMAS B. REED.

PUBLIC CAREER OF THOMAS B. REED

BY RICHARD WEBB, ESQ.

Read before the Maine Historical Society, March 26, 1903

Thomas B. Reed was possessed of a personality so strongly marked that an impartial discussion thereof at this time is very difficult, for it inevitably exerted a decided influence upon all who ever came in contact with him, and especially upon all who were his friends. But as a public man, and as a figure in recent American history, one may be better able to speak of him without prejudice, and to discuss the principal events of his career with a degree of impartiality which one could hardly hope to attain in discussing his personal qualities.

My subject, then, is his public career,— what he did, what he thought, and how he was regarded by those who knew him only as a public man. Of what he was to those who knew him best, to those admitted to his intimacy, to those whom he loved and to those who loved him, it is not my province to speak. No man had truer friends, and he was worthy of them all. His private life was spotless, his moral principles were of the strictest sort, and he constantly lived up to them. He was a worthy representative of the Puritanism of his ancestors, with nothing in his make-up of Puritanical bigotry or narrowness. Reed in his private relations as a man and as a friend is another

subject, more interesting perhaps than the subject I have chosen, but one upon which I hardly feel qualified to enter.

Reed was the hero in an episode of epoch-making character in American history. His ruling as Speaker in the Fifty-first Congress revolutionized the House of Representatives. It put an end forever to the minority's power of veto, and brought the House under the control of the majority. It restored the House to its constitutional place as a co-ordinate branch of the legislature, and endowed it with power to act. It marked the end of an old order of things and the beginning of a new.

The great importance of this ruling was recognized at the time it was made, and its far-reaching consequences were clearly foreseen. Perhaps it was better appreciated then than now, for later events have somewhat obscured it, and the current which Reed turned into the new channel has since flowed so smoothly and so naturally that the obstructions in the old course have been almost forgotten; but posterity, looking back through the years yet to come, will give the event its true value, and will, I believe, regard it as one of the great historic episodes of the generation.

Up to the time of the meeting of the Fifty-first Congress in December, 1889, Mr. Reed can hardly be said to have acquired a national reputation. He had served six terms as a member of the House, and was just entering upon his seventh. His first nomination had been won after a bitter contest. He had

succeeded in displacing the sitting member for his district, but in doing so he had aroused against himself local animosities and jealousies which it took years to heal. He had been a successful politician in his native city of Portland, having been three years a member of the Legislature and three years attorney-general for the State, but he had not up to that time established himself in a leading position at the bar, and he had not impressed himself upon the people at large as a man of commanding ability, although all who came in contact with him realized that he was not a man of common mould, and some among his friends early foresaw his brilliant future. Such a one, I believe, was Judge Webb, who when county attorney was attracted to Reed, then a young man of twenty-six, just admitted to the bar, and who suggested him as a candidate for the Legislature, and exerted himself to aid in securing his nomination and election. But it is safe to say that most of Reed's constituents never dreamed that he would achieve greatness.

In later years Mr. Reed often alluded to the handicap under which a young man labors who seeks public position in the place of his birth, or where he has spent his early years, since many of his would-be constituents are likely to have very vivid recollections of his boyhood days and of his callow youth. They remember his failures at school, his boyish pranks, his youthful indiscretions and his exhibitions of immaturity of judgment, and forget that as a general rule such faults are cured by time. In Reed's case

there were no youthful escapades the recollection of which would harm him, there were no glaring sins for him to live down. There was simply the fact that as man and boy for over thirty years he had gone in and out among the people of a small community, and their judgment of his ability and capacity was necessarily, to a certain extent, formed upon what he had accomplished long before his powers had reached maturity. Portland people knew Reed as the son of a man of humble position and circumstances, who for many years had been a night watchman at Brown's sugar house, a faithful, reliable and respected employee, but unable to give his family many advantages. Reed's college days at Bowdoin had been much like those of hundreds of other New England boys. He had loafed some, had studied some, and had graduated in good standing. His mind seems to have had a serious turn in those days, and it is said that he contemplated studying for the ministry. It has also been said that his college expenses were paid by one of the Portland churches upon the understanding that he should become a minister. But this latter story is untrue, although it is very probable that he may have had during his college days some idea of studying divinity, for theological questions greatly interested him as long as he lived, and he was always a deep student of the Bible, and would frequently make use of scriptural quotations or allusions in discussions or argument. But such intention, if it ever existed, was given up before his graduation, for as soon as possible after leaving college he entered upon

the study of law, and five years later, in 1865, was admitted to the bar, having in the meantime taught school in Maine and California, and having served for about a year as acting assistant paymaster in the navy.

Reed entered the domain of national politics as an untried man, and in the twelve years that elapsed before he was chosen to the Speakership his growth to a position of influence and leadership was not marked by pyrotechnics. His native State was dominated by the personality of Blaine who in 1876, the year of Reed's first election to Congress, had narrowly missed the Presidential nomination, and Reed was not inclined to humbly bow the knee to this favorite son of Maine. The wounds inflicted in the contest for his Congressional nomination refused to heal, rivals in his own party coveted his seat, and friends of Blaine often seemed inclined to connive at his discomfiture. Nevertheless his district was true to him, although on more than one occasion the vote at the polls was close. He held his seat, he maintained his independent attitude toward the party leaders of his State, and gradually won for himself a commanding position in the halls of Congress. There is no place where a man's true capacities are more likely to be discovered and to be more correctly appraised than in the House of Representatives, and the judgment of the House as to its own members is often a surprise to constituencies and to the general public. Reed's talents proved to be exactly suited to this arena, and while a faction of his own party at

home were plotting to displace him, and before the country at large knew who he was, he had become the recognized leader of the Republican minority upon the floor, and the logical candidate for the Speakership whenever the Republicans should control the House. His opportunity came with the election of 1888, when Harrison was elected to the Presidency, and in 1889, upon the first meeting of the Fifty-first Congress, he was chosen after some opposition as Speaker of the House.

Now, since in the election of 1888 the Republicans had elected a majority of both houses of Congress and also their candidate for the Presidency, it was to have been presumed that the people had recorded their approval of that party's policies, and wished to see those policies enacted into legislation; but all such legislation was impossible if the House of Representatives was to be governed by the same rules which had governed it in the past. Under those rules it was easily in the power of the minority to prevent entirely by the use of filibustering tactics all legislation to which they were opposed, and filibustering in the House was sustained and supported by the most ancient of precedents. No man in the country at that time better understood the rules of the House than Reed, and no member of the House was able to use them more skilfully in opposition to the wishes of the majority. As the minority leader he had frequently made use of the advantages which the rules gave him, and he knew exactly what those advantages were. Nevertheless he did not believe that the minor-

ity should have such advantages, and before his party was in control he had frequently expressed his disapproval of the principles upon which the rules were founded. Shortly after the election in 1888, in March, 1889, he published in the *Century* an article entitled "The Rules of the House of Representatives," in which he clearly showed the abuse which had grown up under cover of them, and the necessity of radically changing them. To his mind the most important question was not what Congress should do, but whether it could do anything at all. Should the House be enabled to exercise its constitutional power of taking part in legislation, or should it permit itself to be reduced to the impotence of a debating society? To him there was but one possible answer. He would so amend the rules as to curb the obstructive power of the minority and place the majority in control. In other words he would put into effect the fundamental rule of all parliamentary bodies and of all democracies that the will of the majority must govern.

The first basis of filibustering tactics was the constitutional provision that a majority of the House is required for a quorum. The practice had long obtained of counting as present when a vote was taken only those who answered to their names on roll call, and if less than a clear majority was recorded as having voted for or against a measure, the point was commonly taken that there was no quorum present, and such point had always been sustained. As a matter of fact it was often plainly and sometimes even vociferously apparent that a large majority of

the members were in the House while the vote was being taken, but such was the respect paid to precedent that Speakers had felt bound to disregard all evidences of their senses, and to accept as conclusive upon that question the figures upon the tally sheet of the clerk. Breaking a quorum by simply refusing to answer to their names on roll call had long been a favorite device of those who desired to defeat a bill, and such device was frequently successful; for although many measures might meet the approval of an actual majority of the entire House, it was not always practicable, in fact it was often impossible, to have that majority constantly in attendance when such measures were under consideration.

The second basis of filibustering was in the use of privileged motions for purposes of delay, and hours and even days at a time had frequently been wasted in the efforts of a determined minority to tire out the majority. Things had come to such a pass that about the only legislation which stood much chance of passage was that to which there was no opposition. In other words the House could act only by unanimous consent.

With rules like these in force it was obvious that the recent Republican victory at the polls would go for naught, and that the plainly expressed mandate of the people would be utterly disregarded. No bill on the tariff, for instance, prepared by the Republicans, would be approved by the Democrats, and although a majority of both houses might desire the passage of such a bill, it would have absolutely no

chance in the world of getting through. So although the Democratic party had been defeated in the election they had no fear that the policies which they had opposed would ever ripen into legislation.

Now, it is of course apparent that the bases of filibustering are unsound. Filibustering did not rest upon common sense, and the application of common sense was sufficient to demolish it completely. If a majority of the members of the House are actually present, a quorum is present within the meaning of the constitution, and the failure or refusal of certain members to answer to their names on roll call cannot alter the fact. Nothing can be simpler, nothing can be truer than this simple statement, and a ruling of the Speaker based upon it would be in accordance with common sense. Furthermore, since no member can lawfully make a motion without first being recognized by the Speaker, the Speaker is clearly within his rights in refusing to recognize a member who desires to make a motion which is intended to be merely dilatory, and in refusing to put a motion which is avowedly made for merely dilatory purposes. But that simple common sense might be applied to the situation which had grown up in the House a man was required of unusual courage, firmness and determination. He must be strong enough to be able to command the loyal support of his own party through thick and thin, and must be also strong enough to be able to meet alone the united assaults of the opposition. Reed proved to be the man of the hour. Probably no other man in the country could

have performed his task. The Republican majority was so small that even a slight defection would have been fatal, and he compelled the party to stand as a unit behind him. The Democratic minority resorted to every means short of personal violence to overcome him and to make him swerve from his position, and he forced them to submit. In all the trying period he was always perfectly fair. Those whom he counted as present were always actually present. Every man whom he refused to recognize was a man who avowedly desired to speak simply for the purpose of creating delay and obstructing the action of the House. In no single instance was there an accusation that he refused to put any motion made in good faith. In no House had there been given greater opportunity for honest debate and a wider latitude for the opinion and action of the minority, so long as that minority did not trespass upon the rights of the majority.

Reed's action in counting a quorum appealed at once to the people as being based upon common sense, and in his inimitable way he also made manifest the absurdity of the position of his critics. When the name of Mr. McCreary, of Kentucky, a Democratic leader, was called as being present and not voting, that gentleman exclaimed, "I deny your right, Mr. Speaker, to count me as present." Mr. Reed replied, "The Chair is making a statement of fact that the gentleman from Kentucky is present. Does the gentleman deny it?" Later, when the ruling was announced, and the Democrats rising from

their seats, and wildly gesticulating, surged down the aisles crying "Tyrant," "Czar," "Usurper," his own voice rang out as soon as he could be heard, "Will the gentlemen who say they are not present please resume their seats."

It is difficult to realize even at so short a distance of time from the event the enormous amount of abuse heaped upon Reed for his action as Speaker of the Fifty-first Congress. He was denounced from the floor as the worst tyrant who had ever presided over a parliamentary body; he was called "a scurvy politician acting in defiance of right and justice;" and the epithets "Tyrant," "Usurper" and "Czar" were hurled at him day after day. Yet he was through it all calm, serene and dignified. "The House will not allow itself to be deceived by epithets," he said. "No man can describe the action and judgment of this Chair in language which will endure unless that description be true. Whatever is done, has been done in the face of the world, and is subject to its discriminating judgment."

And the discriminating judgment of the world soon sustained him upon all points. The Supreme Court of the United States decided his ruling to be in accordance with the Constitution and the laws. Even his opponents, paralyzed and helpless under the old rule which they had readopted in coming again into power in the Fifty-third Congress, finally discarded it and adopted the Reed rule, and the Democratic leader in making the motion said he would "hail the adoption of this rule as a new era in American legislation."

No justification could be more complete, no victory more triumphant, yet Mr. Reed simply said :

"Mr. Speaker, I do not desire to address the House again upon the general subject. This scene here to-day is a more effective address than any I could make. The House is about to adopt the principle for which we contended in the Fifty-first Congress, and is about to adopt it under circumstances which show conclusively to the country its value. No words that I can utter can add to the importance of the action. I congratulate the Fifty-third Congress upon the wise decision that it is about to make."

But while Reed was thus roundly abused and anathematized by his political opponents, it must be remembered that he was at the same time glorified by his political friends. If he received more abuse than commonly falls to the lot of a politician, he also received more commendation, and while the animosity of the opposition did not harm him, the approbation and applause of his own party advanced him in reputation, and changed his status from that of one of the rank and file to that of a standard bearer and champion.

It was perfectly natural that he should be suggested as a Presidential candidate. At the Minneapolis convention, in 1892, there was a possibility of his nomination, although it is probable that he did nothing whatever in aid of any movement in that direction, and in fact that he did not then desire the nomination. It was a bad time to run. The McKinley Act had proved immensely unpopular, what had been done by the Fifty-first Congress had not by any means been approved by the people, and in the Congressional elections of 1890 the party had been

overwhelmingly defeated. It was very probable that the Presidential election of 1892 would be won by the Democrats. Republican chances of winning would not be improved by nominating a man whose most conspicuous and most recent public act had aroused intense antagonisms, and so far as the last election indicated anything, had been severely condemned. The nomination of Reed at this time would have been bad for the party and bad for Reed too.

But as the time for the national convention of 1896 approached it was apparent that the Republicans would make the campaign under new leaders. Harrison, defeated in 1892, was out of the question, Blaine was dead, Sherman and Allison had grown old. The names which for twenty years had been familiar before Republican conventions would not be again presented. Younger men would be the candidates, men who had entered public life some time after the close of the Civil War, and who had but lately risen to prominence.

No man in national public life was at this time more prominent than Reed. He was still in Congress. After his retirement from the Speakership after a single term he had skilfully led the Republican minority upon the floor during the two terms of Crisp's Speakership. The animosity created by his famous ruling had died away, and, as has been said, his opponents had testified to the soundness of his position in adopting his rule themselves. Then at the election of 1894, he had come back with a majority behind him, and was placed in the Speaker's chair a second time. He

had proved both in victory and defeat that he possessed the qualities of leadership, he had won the admiration of hosts of his party in all parts of the country, and he held the highest office then held by any Republican, the influence and power of which might easily be used in securing delegates.

The only other name prominently suggested for the nomination was that of McKinley, who since his defeat in 1890 had not returned to Congress, but had been elected governor of Ohio. He was the reputed author of the tariff act bearing his name, and had made himself on all occasions the champion of the principle of protection. As a matter of fact the tariff act was more the work of Dingley than of any other single member of the committee which reported it, and its passage was brought about by the adoption of the Reed rules, and not by McKinley's advocacy. So far, too, as concerns the principle of protection, Reed and Dingley were no less its champions than was McKinley, and each of them in his career had done quite as much for its success. But in the minds of the people the tariff act of 1890 was inseparably connected with the name of McKinley, and he was regarded as the special advocate of the principle upon which that act had been founded.

The limits of this paper will not permit a discussion of the pre-convention canvass of 1896, of McKinley's nomination, and of his triumphant election. Why the party chose the weaker man, and whether, on the whole, such choice was the wiser, are questions about which there is to-day considerable difference of

opinion. Such questions must be settled by future historians. But Reed was never reconciled with the result. The reason of the situation was all on his side, and he knew it. If the nomination should go to the stronger man, to him who had done the most for his party and his country, to him who more than any other was a real leader, and had proved it, Reed was the man. If the issue of the campaign was to be the tariff, as was thought likely, no man was a firmer and more consistent protectionist, and for the passage of the recent Republican tariff act no man was entitled to more credit. If the issue was to be the currency, as in fact it proved to be, no man had a better or more consistent record for sound money, and no man had been less influenced by the alluring sophistries of the bimetallist's argument.

But McKinley was popular. He was kind-hearted, tactful, gracious, polite, urbane. He would go hundreds of miles to deliver a speech when invited, and welcomed all such invitations. He believed in the people, he sought to know their wishes, he strove to carry out their will, he was influenced by public opinion. Reed never sought popularity, he had little tact, he was sometimes ungracious, he not only never sought invitations to deliver speeches, but he declined many which were urgently pressed upon him. He strove to lead the people, and disdained to follow them. No amount of public opinion was ever able to swerve him from his position or to force him to yield his opinion. Reed was the intellectual superior, but McKinley was an excellent type of the common

average man. His ideals and his courage, which was not of the strongest, but which was average and human, his view point, his education, his aspirations for America, were those of the average American; and although the wise men of the country would have had Reed, the common people turned instinctively to McKinley, whom they could better understand and better appreciate and whom they better liked.

As has been said the question as to whether the convention's choice was the wiser may still be considered an open one, but there can be no question but that the revolution brought about in 1898 by the Spanish war and its results was much more easily accomplished with McKinley as President than it would have been with Reed. As early as 1890 Captain Mahan had published an essay entitled "The United States Looking Outward," in which he had said, "Indications are not wanting of an approaching change in the thoughts and policy of Americans as to their relations with the world outside their own borders. The interesting and significant feature of this changing attitude is the turning of the eyes outward instead of inward only to seek the welfare of the country." Returning again to the subject in 1897 in an essay entitled "A Twentieth Century Outlook," Mahan said:

> "Signs may be noted, even if they cannot be fully or precisely interpreted; and among them I should certainly say is to be observed the general outward impulse of all civilized nations of the first order of greatness — except our own. Bound and swathed in the traditions of our own eighteenth century, when we were as truly external to the European world as we are now a part of it, we, under the specious

plea of peace and plenty — fullness of bread — hug an ideal of isolation, and refuse to recognize the solidarity of interest with which the world of European civilization must not only look forward to, but go out to meet, the future that, whether near or remote, seems to await it. I say we do so ; I should more surely express my thought by saying that the outward impulse already is in the majority of the nation, as shown when particular occasions arouse their attention, but that it is as yet retarded, and may be retarded perilously long, by those whose views of national policy are governed by maxims framed in the infancy of the republic."

The change which Captain Mahan with so much prescience had predicted came even sooner than he himself had probably anticipated. He saw signs of the times which were unseen by other observers, and he read them with remarkable accuracy. A foreign war was all that was needed to make plain to all this outward impulse of the people to which he had called attention. Such a war came in 1898, and no one is so blind as he who cannot see the enormous changes which have followed it. In the *Atlantic Monthly* for December, 1902, President Woodrow Wilson, in an article entitled "Ideals of America," says :

"No war ever transformed us quite as the war with Spain transformed us. No previous years ever ran with so swift a change as the years since 1898. We have witnessed a new revolution. We have seen the transformation of America completed. That little group of states which 125 years ago cast the sovereignty of Britain off, is now grown into a mighty power. That little confederation has now massed and organized its energies. A confederation is transformed into a nation. The battle of Trenton was not more significant than the battle of Manila. The nation that was 125 years in the making has now stepped forth into the open arena of the world."

To this growing impulse of the people to look beyond their own borders and to take part in the greater politics of the world, McKinley gradually

yielded, and at last adopted as his own a policy designed to place America in the front rank of the great powers of the world. He had become a Presidential candidate with his most conspicuous political belief that the home market should be reserved for the home industries, and he had won the Presidency on the question of coinage. He had never before taken any part in foreign affairs, and his previous record was entirely upon domestic questions, but he so shaped the policy of his administration that in the campaign of 1900 domestic questions had become subordinate to what his opponents called the paramount issue of imperialism, and on this issue he was triumphantly re-elected.

But Reed refused to yield to the changing views of his countrymen. He deeply regretted sending the Maine to Havana for he felt only trouble could come of it. He prevented the House of Representatives from recognizing the independence of the so-called Cuban republic. He held back the House until the last moment from declaring war with Spain. But with the ratification of the treaty of peace in February, 1899, he clearly foresaw the new policy upon which his own party was to embark, and the impossibility of his longer continuing in public life in harmony therewith. He therefore announced his intention to retire, but was persuaded by friends to postpone for a few months sending his resignation. In September, however, he finally withdrew, and in his final letter to his constituents thanking them for their long-continued and loyal support, he said, "Whatever may

happen, I am sure that the first Maine district will always be true to the principles of liberty, self-government and the rights of man."

In these final words to his constituents, we have, I believe, the basis of Reed's political faith — liberty, self-government and the rights of man. The inherent rights of the individual he adhered to on all occasions. He was an abolitionist of the the school of William Pitt Fessenden and Thaddeus Stevens. He believed in suffrage for the negroes, and would have used the power of the government to protect them in its exercise. He believed in suffrage for women. In his mind there was no higher purpose to which the powers of government could be put, there was no greater reason for the existence of government itself, than to secure and protect the rights of man. He may have been governed by eighteenth century maxims, but to him their truth was unassailable.

Reed believed that in seeking new ideals his country was abandoning the ideals of its foundation and of its national life for more than a century. Upon this point a majority of his countrymen disagreed with him, and his own party with practical unanimity believed him to be mistaken. But he held to his views to the end, and died unreconciled with the new policies and unchanging in his allegiance to the old.

The question as to whether Reed was right or wrong was settled against him in his lifetime by the weight of numbers and the course of events, and his views as to the duties and responsibilities of the

United States outside its own borders never received sincere support from any political party. They were, to be sure, adopted by his old opponents, the Democrats, and made to do service in a single campaign, but they were practically abandoned after the progress of the campaign had demonstrated how slight a hold they had on the people at large, and they have now doubtless ceased to represent a living issue in American politics. But the controversy which raged upon this question is still too recent to be discussed dispassionately by one who passed through it, and its embers have still so much heat that one cannot hope to stir them without raising again the flame.

But it was always a matter of profoundest regret to Reed's warmest friends and supporters that he felt himself bound to assume a position which alienated him from his political associates of a generation, and it was hoped that when the question blew over, as, it was foreseen, would soon be the case, he might resume his place in public affairs, and that his country and his party might again have the benefit of his valuable services. But it is doubtful if this hope could ever have been realized even with anti-imperialism out of the way. Reed was a conservative, and his party was and is liberal. He had given his allegiance to that party in his youth, and to the party as it existed in his youth he was true to the end. He was a Republican of the Civil War and Reconstruction days. His political creed had in it nothing of civil service reform, reciprocity or anti-trust. One of his bitterest political feuds was upon appointment to

office in his district. He was indignant with Blaine for advocating the reciprocity features of the McKinley Act, and his latest political deliverance is the caustic and brilliant essay in the December number of the *North American Review* wherein he argues as to the futility of attempting to regulate trusts, and the absurdity of revising the tariff. Had he returned to public life he would have found himself out of sympathy with a large element in his party upon other questions than imperialism, and his influence would have suffered accordingly.

It is impossible at this early day to state Reed's place in history. We are certain that he will be one of the very few men of the present whom the next generation will remember and honor. We believe that his name will be among the great ones of the nineteenth century. He possessed the elements of greatness. He had strength of intellect and of will, firmness of conviction and of purpose, uprightness, truthfulness, courage and integrity. The verdicts of history are not always just, her judgments are not always impartial. But to the men of his own day, to those who knew him as he was, who agreed with him or differed from him, who fought with him or fought against him, Reed was great, and posterity will surely have respect to their testimony.

EXTRACTS FROM THE EARLY RECORDS OF THE FIRST CHURCH IN NEW MARBLEHEAD (NOW WINDHAM, MAINE)

BY SAMUEL T. DOLE

Read before the Maine Historical Society, March 26, 1903

Several years ago I was fortunate enough to obtain the record book of the venerable first church in Windham, and made a complete copy of the entries from its organization until the close of the second minister's pastorate, covering a period of about forty-seven years. From its time-hallowed pages we learn that the church was organized December 14, 1743, and Rev. John Wight was ordained pastor. On that day a church covenant was adopted, which is as follows:

"Whereas we, the subscribers, have had by the assistance of the Proprietors of this Township an house built for the regular worship and ordinances of God; and have had our hearts inclined to combine ourselves into a Church State and relation to God and one another, and after humble confession of our manifold sins and supplication for pardoning mercy thro' the blood of the everlasting covenant and the adoration of the boundless, rich and free grace of God, which triumphs over our unworthiness: — and such of us as were members in full communion with other Churches, do solemnly and explicitly enter into Covenant with God and one another in the manner following.

"1st. Having perused the confession of faith set forth by the Synod of Churches held at Boston in New England, we do close with it as to the substance of it, and promise to stand by it, and maintain it, and if need be contend for the faith therein delivered to the people of God. And if any among us Shall go about to undermine it, we will bear a due testimony against it.

"2nd. We give up ourselves to God the Father, Son and Holy Ghost and the only living and true God, Avouching him this day to be our God and Father, and the Lord Jesus Christ as our Prophet, Priest and King, to bring us to eternal Salvation. Promising by the assistance of the Holy Spirit to cleave to this God and Mediator now and forever as his Covenant, professing to observe the ordinances of Jesus Christ together in an holy society and communion in the faith and order of the gospel of our Lord and Saviour Jesus Christ.

"3d. We give ourselves to one another in the Lord, Solemnly binding ourselves to walk together in the ways of God's worship and to cleave to his ordinances according to the rules of his holy word.

"4th. We give up our children to be the Lord's promising by the assistance of Divine grace to do our utmost to bring them up in the nurture and admonition of the Lord.

"5th. We do promise to submit ourselves to the government of Christ in his Church according to his institution: Viz: — to the ministerial teaching and guidance of the Elder or Elders of this Church: and in brotherly love to watch over one another in godly, sober and religious life, to the keeping of consciences void of offence towards God and man.

"6th. We do also promise and solemnly engage by all means to study and promote the peace of this Church, and to maintain the purity of the worship of God therein: — This we do, praying the Great Shepherd of his Sheep to prepare and strengthen us for every good work, and vouchsafe his blessing on this his heritage, Amen.

JOHN WIGHT, THOMAS CHUTE,
THOMAS BOLTON, JOHN FARROW,
THOMAS HASKELL, SAMUEL ELDER,
ABRAHAM ANDERSON."

Of Mr. Wight's ordination we have no details, but do know from the church records that on that day he solemnized a marriage, which may be regarded as his first official act. On December 27, 1743, the newly-formed church held its first meeting for the transaction of business relating to the proper observances of the gospel ordinances on the above date. The following is the entry as it appears on the record book:

"After Solemn prayer for direction and assistance, It was proposed to the brethren to consider what steps may be proper to be taken in

order to furnish the communion table with vessels, and after some consideration thereof, Voted, that the church borrow vessels, if they can, till they can either procure them themselves, or intercede with some of the Proprietors of this Township generously to bestow some on this church.

"It was then proposed when it might be proper to have the ordinance of the Lord's supper administered here for the first time. Voted that the sacrament be administered the next Sabbath for the first time (God willing,) It being the first day of the year. It was then proposed how often the sacrament should be administered here. Voted that it be administered once in six months if the Elements can be procured.

"It was further proposed and considered what each communicant should contribute in order to prepare the Elements for the communion for the first time the Lord's Supper shall be administered here, and so from time to time till the matter be further considered before the brethren of this Church, And after some deliberation, Voted that there shall be contributed five shillings by each of the brethren the first time the Lord's Supper is administered, and one shilling afterwards by each communicant at every time the Lord's Supper is administered till the affair be further settled before the brethren of this Church.

"It was further considered whether the Brethren would choose one of their number to prepare the Elements for the communion Table, and serve them to the communicants at the sacrament, and take care of the money that shall be contributed from time to time for that purpose, till another of the brethren be chosen for that purpose.

"Voted that brother Thomas Chute be chosen for that service. After prayer the meeting was dismissed."

Then follow a list of admissions to the church, Mr. Wight's marriages, births, baptisms, with a record of the deaths that occurred during his pastorate. The last entry relating to church matters is as follows:

"December 23, 1750, Voted, That Edmond Finney[1], some time since admitted to full communion in this Church be dismissed therefrom to be joined with, (or embodied with) a Church speedily to be gathered at a plantation called Gorhamtown, near to us. Near the conclusion of the public service the foregoing vote was passed."

[1] Edmund Phinney, afterward in the Revolutionary War Colonel of the 31st Regiment of Foot, and of the 18th Continental Regiment.

Mr. Wight died May 8, 1753, a fact duly recorded in the church book in the handwriting of Deacon Thomas Chute. The church in Windham remained without a pastor until September 22, 1762, when Rev. Peter Thacher Smith was ordained in the old fort. He was the son of Rev. Thomas Smith, first minister of ancient Falmouth, and had preached to the people of Windham occasionally after the death of Mr. Wight. Mr. Smith found here thirty-nine families poor as poverty, and a church consisting of eight male and five female members, with no place in which to hold the meetings for worship except the fort, which they fitted up for that purpose. Mr. Smith's ordination gave great satisfaction to the people here, and the following account of the affair was entered on the church book by Mr. Smith himself:

"I was ordained Pastor of the Church of Christ in this Town, September 22, 1762. Those who assisted in my ordination were the Rev. Moses Morrill of Biddeford, who made the first prayer, The Rev. Dr. Samuel Langdon of Portsmouth, who preached, (his sermon printed), My Rev. Father of Falmouth gave the charge, The Rev. Nicholas Loring of North Yarmouth, gave the right hand of Fellowship; the Rev. Richard Elvins of Scarborough, made the last prayer. There were also present of the council the Rev. Samuel Haven of Portsmouth, and the Rev. Joseph Jackson of Brookline. The Rev. Aaron Smith of Marlborough, the Rev. Samuel Wooddard of Weston and the Rev. Jonas Merriam of Newtown were also sent for to assist in my ordination, their Churches voted their concurrence, but as they could not come they wrote letters in my favor which are upon file. The result of the council and all other papers relating to my ordination are also upon file."

The following are the names of the church members as recorded by Mr. Smith at the time he assumed the pastoral office, viz:

"Thomas Chute, Thomas Bolton, Abraham Anderson, Micah Walker, Curtis Chute, John Farrow, Thomas Haskel who lived in Falmouth, and Seth Webb in Gorham, both of whom concurred in my ordination, Lois the wife of Caleb Graffam, Bethiah the wife of Thomas Meayberry, Rachel the wife of William Bolton, Anna the wife of Abraham Anderson, and Mary the wife of Thomas Bolton."

The newly-ordained pastor and his flock met in regular conference for the transaction of business October 20, 1763, and the following is the record of their doings as it appears on the church book:

"At a Church meeting after prayer, I considered the State of the Church and found that the characters of several were agreeable and Nathaniel Elvins, Ephraim Winship and Moses Starling, had their dismission read from the several Churches to which they belonged and were received into this Church. N. B. Their letters are upon file. We then considered when the sacrament of the Lord's Supper should be administered and how often. It was voted that the Lord's Supper should be administered on the 21st day of November next, and once in two months until it shall be determined otherwise by the Church. It was likewise voted, that, at the first sacrament each member contribute a pistereen, and half as much the next. I read to this Church [a letter] from the Church in Pepperelborough, desiring our assistance in the ordination of Mr. Fairfield, the Church Chose Dea. Chute and John Farrow for that purpose. The meeting was then dismissed."

Their next meeting was held on April 5, 1763, and appears to have been called as a sort of inquiry meeting, as the old record says:

"At a church meeting called for enquiry into the conduct of one of its members, after prayer I proposed to the Church, that they should choose a committee to deal with the offending person and any others of the church, or those who had owned their Covenant and did not agreeable to the rules of the gospel, that this committee should try to settle all private disputes or uneasiness among any of the church, and that the committee be for a year, and report from time to time. Voted to Choose a committee for the year for the business aforesaid, and chose Dea. Chute, Abraham Anderson and Micah Walker for the Committee

and they all accepted. The church then directed to immediately treat with five persons mentioned by name for several things specified, and make a report thereof to the Church on the 12th day of May next, to which time and for which purpose this meeting is adjourned."

Although the foregoing minutes expressly state that five individuals were designated by name nothing of the kind can be found to show who they were, but it does appear that the committee, according to their instructions, took immediate action, and from their report we learn the names of two of the offending parties:

"May 12th, 1763. This day according to adjournment and after prayer, the committee were desired to give an account of their proceedings. Accordingly the Committee informed the Church that they had treated with three of the persons they were to, that they discovered a suitable temper, acknowledged their faults, and promised reformation and begged forgiveness of God and of the Church, whereupon this Church unanimously voted to restore them and their families to their charity."

"The committee also reported that Seth Webb, one of the members, and another of the offending persons had been abroad and that thereby they had not as yet opportunity to treat with them."

"The committee further reported to this Church that they had treated with Hannah Stevens the wife of John Stevens jun. about those things they were desired to, and she discovered an unbecoming temper and would not give them satisfaction as to any of those things, whereupon this Church unanimously declared that they were still dissatisfied with her and would not permit her to the privileges of a Church member until she gave them satisfaction for those things, and discovered more of the temper and life of a Christian. The committee are desired by this Church to inform the s^{d} Hannah Stevens of this vote."

What misdemeanor Mr. Webb had been guilty of has never transpired, or how the matter was finally adjusted, but in the case of Mrs. Stevens the church appears to have acted somewhat prematurely, as the

following entry made in connection with the foregoing vote goes to show:

"N. B. This Hannah Stevens does not belong to this Church."

An old tradition informs us that the charge against her was witchcraft and many stories are told of her supposed diabolical powers. However, as she was outside of the church nothing could be done and so the matter ended. She lived to a good old age and died quietly in her bed about the commencement of the last century.

At the meeting held May 12, 1763, after disposing of these cases of discipline, the church voted unanimously:

"That if those persons who have been married, or had their children baptized by one Townsend of Gorham, (who was an illiterate Exhorter and settled there in a very disorderly manner by some lay brethren of that church,) would declare to me, that they did not go to s^{d} Townsend for those purposes above named out of a disorderly temper, or out of prejudice against the regular ministers or churches, but that they really thought s^{d} Townsend was a regular minister. That upon their making this confession to me this church is willing to admit them to their privileges."

Whether any offender against the "standing order" took advantage of this proclamation of amnesty the records nowhere state, but it is possible that some might have done so.

EARLY RECOLLECTIONS OF THE CUMBERLAND AND OXFORD CANAL

BY S. B. CLOUDMAN

Read before the Maine Historical Society, March 26, 1903

The humble glories of the old Oxford and Cumberland Canal have long since faded, and its former popularity only exists in the memory of a few who live to recall the events of the days of its prosperity.

In the years of my early childhood, the brilliant hope, the sanguine expectations, in regard to its future development were the chief topics of interest with all parties concerned in its location and construction.

The building of "air castles" in connection with the enterprise was legion, perhaps, because the material for such building came without cost, and everybody felt called upon to contribute something to the wonderfully prospective future of the coming canal. But the stern facts in later years proved that the best laid plans of "mice and men" do sometimes fail to materialize satisfactorily. To say the whole enterprise of building and running the canal from beginning to end was a series of misfortune and financial disappointment would be placing the matter about where it belongs.

The first boat that ever pulled through this new water line bore the illustrious name of "George Washington," and was also called the "pleasure boat."

It was built by William A. Rice, a miller who lived at Great Falls, on the Presumpscot. I remember this boat very distinctly. It was painted in stripes, with the national colors, red, white and blue. On its stern were the heads of George and Martha Washington, finely carved and artistically arranged, with the name of George Washington in half circle above them. The favored passengers on this first trip were the stockholders and business men of Portland, Westbrook, Gorham, Sebago and Standish.

We must not forget the fact that the temperance cause in those days had few advocates, and hardly any admirers. Rum and its associate drinks were then considered among the indispensable necessaries of life on all occasions. The outfit of the pleasure boat was in full sympathy with the times, having a "bar" well supplied with the needful, which, at this time, contributed much to the wild hilarity on the deck of their newly-fledged craft. Evidently at that date, a sheriff of the Pearson type would not have been very well supported by that crowd or any political party.

The boat with all of its old-time attractions, was not a success financially. It was soon remodeled into a freight boat, and finally sank in a small cove near "Kemp's Lock," where a few pieces of its old decayed timbers are still to be seen. The common freight boat was sixty-five feet long, and ten feet wide, with a little bee-hive cabin only nine feet square, in which were a cook-stove, three bunk-beds, a table, three chairs, all the cooking apparatus and clothing for

three men. The boatman used a very long tin horn to notify the "lock-tender" of the coming boat, also in going through ledges where the cut was too narrow for two boats to pass; a long, shrill blast was given to announce the near approach of the down-stream boat, which had the right of way. The down freight was sawed lumber, boards, shook, staves and cord wood. The price of best hard wood, delivered on any wharf, was $2.50 to $3.00 per cord. Ten to fifteen cords made the average load for one horse, and the average speed was four miles an hour. The seven miles level without a lock, between Horse-beef Falls and Stroudwater, was called the long level. Then there were seven locks quite near together; the last one was located near the foot of Clark Street, called "Lower Guard Lock," and opened into salt water. Ths canal proper from Portland to Sebago Lake was about twenty miles long. Boats went to all points on Sebago Lake, often taking freight from Bridgton and Harrison. The Canal Company owned but one, called the "Corporation boat," managed by Lothrop Libby, Timothy Skillings and Joseph Libby. These men had the oversight of all needed repairs on the whole line. Their arrangement was found to be too expensive, and the boat soon dropped out of existence. The company had nothing to do with furnishing boats for transportation. Each individual built and furnished his own, paid a certain per cent. a mile for transporting goods and merchandise. The old records show the toll on molasses to be ten cents a mile for each hogshead, rum two cents, staves and shook three

cents per thousand. All other goods in about the same proportion; passengers one-half cent per mile. The whole matter of collecting revenue was regulated by a board of five directors and the money was paid to the treasurer by the superintendent, Charles E. Barrett of Portland, who was treasurer for many years. I recall the name of Joseph C. Larry of South Windham, an old-time blacksmith, whose workmanship was highly appreciated by the company, who employed him for thirty years. His blacksmith shop was near the seven locks. Another fine old citizen of Little Falls, Edmund Dorsett, had the care of the locks, bracing them against the action of frost late in the fall, and repairing the same in early spring for the boating season. The names of some of those old boats are still held in memory, viz.: "Waterwitch," "Boisterous," "Sebago," "Jack Doring," "Honest Quaker," "Speedwell," and many others.

The By-laws of the company required all boats to have a name painted on the stern in letters "not less than four inches in height." Among those who owned and managed boats on the lake and canal, I recall the names of Luther Fitch, John Lindsay, William Chadbourn, Elliot Libby, Jess Plummer, Henry Chadbourn and Nathan Winslow, not one of whom is now living.

The canal for nearly one mile passed through the old Cloudman farm in Gorham, where I now live, and we mow with a machine good English grass in the bottom of the old canal.

The process of locking a boat through was very simple and very practical. If the boat was on its way up to the lake the tow-line was cast off at the foot of the lock and it sailed into the empty lock when the two huge wooden gates were closed behind the boat, and the up-stream pads were opened with a big iron wrench, admitting near the bottom of the boat two streams of water, each two feet square, under a pressure of ten feet head. In about three minutes the boat came up to the level water above, gliding easily out, and was again on its way to the lake. With the down stream, the process was reversed. The boat sailed into the filled lock, the upper gates were closed, the lower pads opened, and the boat gently settled to the level below. Five minutes' time was sufficient to lock through.

The records show that in 1821 the Legislature passed an act, granting a charter to Arthur McLellan and ten others, with power to lay out, make, and maintain a canal from Thompson Pond, in Oxford County, to Fore River, in the town of Westbrook, Cumberland County. I have the impression that the charter must have been the first ever given by our Legislature, because Maine became a state in 1820, and their charter was given in 1821. However, for lack of money, its limit expired before doing any work and another was granted in 1826. Finally, after many discouraging delays and financial hindrances on the part of the pioneers of this enterprise, the actual work of " digging " began in the summer of 1828, and was completed in three years from Portland

to Sebago Lake, a distance of twenty miles, at a cost of $200,000. Somewhere in the twenties, our Legislature passed an act granting a "lottery scheme" to the "Cumberland & Oxford Canal Company," sufficient to raise $50,000 to assist in building a canal from Sebago Lake to Portland tidewater. From this lottery the company realized $27,000. One good old Freewill Baptist (Deacon Shaw) was the lucky man and drew the highest prize, $5,000; and perhaps to keep his record as good in the next world as it had been here, he appropriated a liberal share of the money to the building of a church for his denomination and people. It is said the house still stands as a monument of the old deacon's conscientious generosity. For a long time one of those old lottery tickets and three of those famous "paper shares" in the canal were among my father's papers, as relics of the old canal. The shareholders never received a dividend, for the simple reason that there was nothing to divide. Somewhere early in the thirties, parties interested in the success of the canal, procured the incorporation of the Canal Bank, with a capital of $300,000. Possibly some will remember with me the old-time paper money, bearing that title. The bank furnished the company with money, and took a mortgage on the property. After a time the bank folks found it necessary to foreclose and take the property, which they held until 1857, when they sold the same to F. O. J. Smith, Thomas S. Abbott and Isaac Dyer, for $40,000. After this, misfortunes seemed to multiply, and somehow the affairs of the

canal got into the courts and much litigation followed; some cases pending as late as 1876. Finally, after many commendable struggles for a continued existance, the few boats left on the line ran their last trip in the fall of 1876, when the bottom dropped out of the whole enterprise, and the unfortunate old canal became a thing of the past.

In the summer of 1830, the whole line was alive with newly imported Irishmen who, with picks, shovels and wheel-barrows excavated the earth and built the tow-path. The banks were dotted all along with rudely-built shanties, which overflowed with little children and healthy-looking mothers. From four to six families were somehow packed in each shanty. Locks, wasteways and farm bridges were built by a crew of rough-and-tumble carpenters. The building of the aqueduct, where the canal crossed Little River in Gorham, with its two solid stone abutments and three stone piers in the channel of the river, was a very expensive job. Great strength of timber was required to stand against the pressure of water in this structure. In the palmiest days of the canal there were nearly one hundred boats actively employed on the lake and line. For a short time the whole thing was quite popular, and donned considerable aristocratic dignity, with its " red tape " and stringent by-laws. No carriage riding was permitted on the tow-path; no horse was allowed to go faster than a walk; if cattle were found on the canal, their owners were liable to a fine. However, this sort of direction did not last long; poverty and

common sense demanded a radical change; and it came.

It is not an exaggeration to say that during the forty-eight years of the existence of this canal not a dozen men concerned in the matter were financially benefitted. Large amounts of money were wasted, much property sacrificed and many people made poor.

The shore line of Sebago Lake and its immediate vicinity was stripped of its valuable pines and hard wood lumber; thousands and thousands cords of wood were cut and sold for just enough to pay for cutting; and for all this reckless extravagance very little (excepting rum) was given in return.

The deep cut through many fine farms in the valley of the Presumpscot River, reduced their productive values twenty-five per cent. The additional expense of supporting fences and farm bridges was a heavy burden to farmers on the line of the canal. With very few exceptions all land damage was offset with worthless "paper shares" issued by the company.

Well, things have changed, and while I rehearse the past history of the old Cumberland and Oxford Canal there comes to me a feeling of regret and sympathy because of its unprofitable and unsuccessful record. Railroads have taken the place of that primitive mode of transportation. The red-shirted boatmen have nearly all dropped out by the wayside. The shrill blast of the long tin horn is heard no more from the deck of the slow-moving boat. Scarcely a

timber is left in the rapidly decaying old locks and other wooden structures once belonging to the Canal Company. Only a few old, gray-haired citizens are left to recall the unfortunate events associated with the beginning and end of the ill-fated Cumberland and Oxford Canal.

THE LAST TRAGEDY OF THE INDIAN WARS: THE PREBLE MASSACRE AT THE KENNEBEC

BY REV. HENRY O. THAYER

Read before the Maine Historical Society April 30, 1903

Our historian Bancroft, remarking upon the terrible wars of the red men, prosecuted usually by warrior bands rarely exceeding forty, adds that "parties of six or seven were most to be dreaded, while those of two or three were not uncommon." Stealthy steps upon the enemy's trail to strike them when asleep; the ambush of a village; the dash upon a single foeman or upon a woman and children; the quick taking of scalps and flight; were characteristic methods.

In the same way later upon the white man did the Indian make war when his bloodthirsty nature sought victims or his hate and fears would expel the intruding settler.

Our New England history shows instances where war parties of several hundreds assaulted settlements as at Dover and Wells, but in a majority of such cases Frenchmen doubled the savage horde and French leaders and French tactics aided in a more woeful work as at Deerfield, Berwick, Casco, Pemaquid. But in those same wars the great number of desolations and atrocities came from bands of ten or a score.

In the last twenty years of the Indian warfare — 1740–60 — when settlements had been extended and

were stronger, the main work of the harrassing foe was done on the outskirts, by ambush of laborers, a fell swoop upon a lonely dwelling. These murderous raids were better executed by wolf-like bands of five or ten.

"War," wrote Edmund Burke, "is the matter which fills all history." Our Maine history is not complete without many pages of deeds over which humanity must weep.

The instance I relate was the first of the Kennebec tales of blood which engaged my attention, and had special significance because it occurred a mile from my home for many years and the descendants of the victims were my neighbors and intimate friends. To family traditions I was afterwards able to add documentary evidence from the Massachusetts State papers.

Upon Ebenezer Preble fell the sudden deadly onset of skulking raiders of the Kennebec valley.

He was the son of Jonathan of Arrowsic, who was grandson of Abraham, the immigrant to Scituate and thence to York, about 1642. Hence he was a second cousin of General Jedediah Preble whom Portland holds in honor.

For the times, middle of the eighteenth century, this young man of thirty-four had made a happy beginning in life. A farm, a humble dwelling sheltering a wife and six children, cultivated acres near at hand, a barn partly built, fair prospects for the onward years, were solid foundations for true satisfaction. His home was on a small plateau jutting

upon the tides and eddies of the river, and now opposite to the northerly part of the city of Bath.

At work in his corn-plat on a day of early June, the ambushed foe sped their deadly missiles upon him, and he fell under the careful certainty of aim. The report of guns like thunder from a clear sky sent a shock of terror into his dwelling. Did not every wife and mother carry an aching fear of similar peril every day? Mrs. Preble knew full well the meaning of those guns. She hastily barred the door and, unwisely it seems, made such defense as she could against the fierce enemy who at once yelled their joy and defiance about the house. It was a party of four only, ranging from Canada into Maine for scalps and captives. They preferred captives to scalps because of the higher price in the French markets of the spoils of war. They strove for entrance and demanded surrender, offering "good quarters." Failing of this, they tried bullets. One account told that Mrs. Preble was putting a featherbed against the door for more effective barricade against the guns. Through crevice or aperture by door or window she was shot dead, falling in the midst of her shrieking children, while grievous wounds were inflicted on two more of the household.

Now dire fright and hopelessness compelled to unbar the door. The assailants took possession, gleeful certainly at success and the numerous captives which meant much silver in hand at Quebec. They hastily gathered such plunder as they would be able to carry: of it one portion was the mass of dough

for the rye-and-Indian loaf, in preparation by Mrs. Preble's hands. This was slipped out of the tray into a blanket, greedily to be devoured later, or divided to the captives. Probably the whole transaction did not occupy an hour from the ambushed shot till the march began. The Indian file-leader led on the distressed company into the great wilderness through which Arnold and his men toiled and suffered six score years later. Now four exultant savages convoyed a company of eight horror-stricken youth and children.

It was fortunate that only nine months previously record of this family was entered at Georgetown by Clerk Samuel Denny. The ages were approximately,— Rebecca, twelve and one-half years; Samuel, ten; Mehetabel, eight and one-half; Ebenezer, six; Mary, three and one-half; also an infant, William, three months. There was also a servant girl, Sarah Fling, seventeen years of age, and an undersized boy nearly fifteen, Simeon Girdey, a lad in the service of Jonathan Preble.

The girl, Sarah Fling, suffered a slight wound; the lad one grievous and mortal. A tradition told that the Indians endeavored to save his life, probing the wound for the bullet. We know that in the end he was knocked on the head.

Family tradition retained few incidents of the dolorous journey. The Indians made hasty departure, taking a detour back from the river into the forest for greater safety if their horrid work should at once be discovered. At the first resting-place but a few

miles onward, the oldest daughter was confident she could have escaped, but loyally would not forsake her sisters. The little Mary in fits of crying was threatened into silence by her captors, and was also carried on the back of her oldest sister much of the way. The undiscerning Indians, in desire to save the infant's life, assumed that the stout servant girl might nourish it at her breast, and so directed. She could only deny and protest "I am not its mother." Then in their disappointment and exasperation the little one was recklessly and viciously brained against the nearest rock or tree. The family tradition holds that this fiendish deed was done before the eyes of the horrified group.

The captives were as kindly treated as life in the wilderness would allow; received the choicest bits of game killed; were watched over with care, for if there was no compassion, self-interest so enjoined that the larger revenue of their exploit should be secured by living captives than by scalps.

On the way the captors hailed another party and held aloft on a pole the bunch of scalps, exulting in the trophies of a successful raid: the bereaved girls held long in memory the excruciating view of the long, black hair of their mother, waving as a token of orphanage cruelly thrust upon them in a moment and their wretched and then hopeless fate as they were driven into the land of the enemy and the stranger.

The situation of the house still used for many years was well known in recent times as it had stood on the south side of the plateau on the border of a

little cove. It disappeared, however, by the encroachment of brick-making, which ate away the supporting river bank. The outline of stones forming evidently the foundations of the barn can now be traced.

From that wrecked and blood-stained home the scarred bodies of the murdered parents were taken up river a mile to the block-house of Captain Harnden, who was Mrs. Preble's father, at the present village of West Woolwich, and there close by received sorrowful burial. A slight mound bordered by rough stones amid later graves is now plainly defined, remaining a memorial of the tragic event, and sadly needing some monument in their memory who were the victims of the last raid and massacre of the Kennebec valley.

Too late! often a poignant phrase, must have been a sharp thorn in Captain Harnden's heart, if, as was told, he intended in view of peril to take his daughter and family home a day later when planting should be done.

It seems desirable in behalf of the accuracy of history to refer to what existing history contains concerning this hostile raid. Sullivan wrote the date 1756, but Parson Smith in his Journal showed the correct one, 1758. Williamson, accordingly, felt obliged to accept both, and wrote of two separate events. Sullivan has only the name Preble, as also Smith's Journal, but in the latter the note by Mr. Willis says "Jonathan Preble who was born in York, 1695," thus regarding the father not the son as the real victim. All these writers assign the occurrence to

the island of Arrowsic, the location of Jonathan Preble's home, but not of his son the sufferer. His house had been located four miles north, on the east bank of the Kennebec, in a section of Georgetown which by incorporation in the following year became Woolwich. Sullivan knew only of three children captured, yet he had conversed with one or two in after years.

In a historical sketch of Bath and vicinity, by General Joseph Sewall, some errors and apocryphal accretions were attached in the narration of this savage incursion, due to too ready acceptance of floating local traditions unverified by facts then obtainable from one of the captive daughters a few miles away. He copies Sullivan in the date, the place, the number of captives, and makes Jonathan Preble, the owner of the block-house, the victim. He regarded the assailants as a "strong party," which advanced directly upon the Preble garrison, and then upon Harnden's, and also dared a futile attack upon a strong fort at the lower end of Arrowsic, where they killed many cattle. He tells of the capture of a Miss Motherwell near Harnden's house. In fact, four Indians, like sly wolves upon a sheep-fold, sprang upon a solitary farm-house, broke in, killed, seized their prey, then fled. The Miss Motherwell capture had only one fact for basis: one captive daughter did become *Mrs.* Motherwell many years after.

How slight and defective the knowledge of the transaction held by some of the descendants will be perceived by a short notice found in the volume, "The Preble Family."

Documents in the Massachusetts Archives correct and enlarge the family traditions respecting the transaction and the captives.[1] They show the precise number of assailants, the number killed and wounded, a list of the captives, the manner of their detention or disappearance, or their return home. One paper by the grandfather, Mr. Preble, gives a list of this family, with other names of like sufferers along the Kennebec that year. It assures the accurate date, June 9, 1758. Parson Smith's entry upon the eleventh says "lately," intelligence reaching Falmouth the second day after.

We learn that the second daughter, Mehetabel, entered a family, doubtless of the better class, which soon went to France, and though there was expectation of return, nothing further was ever heard of her. Her two sisters, in the following year when Quebec fell, were discovered by two men, evidently soldiers from the Kennebec in the New England forces. These men in kindness arranged for their ransom which amounted to one hundred dollars, and the girls came home in a transport which arrived at Boston date not known. To little Mary at departure had been given by the foster family a small tablecloth. In the greetings at Boston by waving flags, hats, handkerchiefs, she had only her tablecloth to use, which in the swinging slipped from her feeble grasp and was lost in the harbor.

Some facts indicate that in many, perhaps a majority of cases, English captives were kindly and

[1] Massachusetts Archives, Vols. 38 A and 79.

humanely treated by the French in Canada. Officers of government, wealthy families, seem to have taken as many as they could, of course to be in the place of servants.[1] Some captives found better homes than they had left. One of these Preble boys, in after life of poorly remunerative toil, lamented that his prospects for life had been changed for the worse by return home. Others, many, must have had lives rugged and harsh because of the conditions of the families into which they fell by the chances of sale. Some captives were retained by the Indians, subjected and agreeably accustomed to their mode of life. Still others, a multitude from the border towns of New England, as they were hurried away by the captors toward the northern wilderness, passed into oblivion, for no word came back to reveal their fate. Not only as concerned miserable captives, but the processes of war were changed for the better in the course of years. Parkman holds that their wars in the eighteenth century were less cruel and bloodthirsty than in the previous, and believes that the teachings and influence of the Jesuits contributed to this result.

In the spring of 1761 the recovery of the remaining Kennebec captives was undertaken. Captain Samuel Harnden, in a petition to the General Court of Massachusetts, detailed the incidents connected with the loss of his grandchildren and sought aid in his purpose to go to Canada for them and for several others

[1] For prices of captives refer to Collections Maine Historical Society, Series II, Vol. 10, pp. 194-196.

taken in his vicinity. By vote of June 20, a sum of money and letters and credentials were granted to him. He had first proposed to take the Kennebec route, but found reasons to make his journey by way of Crown Point. On the sixteenth of August he reached Montreal and was so speedily successful as to obtain his grandson Samuel on the third day. The boy had fallen into the hands of Major Desney. Five days later he took from a nunnery Elinor, daughter of Lazarus Noble of Swan Island, who had been in captivity eleven years.[1]

The girl Sarah Fling he learned was at San Antonio, sixty miles distant. Obtaining the needful passport, he set out and crossed the river, but soon some slight indisposition and probably a loss of ardor in her behalf turned him back. It is hoped that the girl who would have been in a measure homeless had she returned, did fare even better in the land of captivity.

Intelligence privately obtained led him to seek the younger grandson at or near Quebec, where he arrived by ship on the twenty-ninth of August. On September 1, the lost boy was delivered to his hands. But here the misfortune of a broken arm befell the older boy, causing expense and delay. The voyage from Quebec to Boston extended from September 17 to October 4. By further delay in sailing eastward he was unable to give the three homebound children a sight of their native Kennebec till October 20.

[1] For prices of captives refer to Collections Maine Historical Society, Series II, Vol. 10, pp. 199-202.

The narration can only draw the outlines without finer detail of what befell a household of ten persons. Four met death by the bullet and tomahawk ; one in France and one in Canada passed out of all knowledge of family or friends ; two daughters after a year, two sons after three and a half years came back to the place of their birth. The older son Samuel came into possession of the farm from which he had been cruelly torn away, still in memory spotted and sacred by blood of parents. He died in 1806. His brother Ebenezer made his home on an adjacent farm, living till 1790. Rebecca, after twenty years from her captivity, married Thomas Motherwell — 1778 — residing within two miles of her brothers till her death in 1829. With her dwelt her sister Mary, remaining unmarried, and in later years in the family of Captain Lincoln Webb at West Woolwich, attaining the age of eighty-nine in 1843.

Rebecca, as also her sister, became a member of the Congregational church and was esteemed a person of ardent piety traced to experiences of childhood. In that despairing hour when she was driven from home and the lifeless mother's side, she took the only good book possible, a small copy of the Psalter, and retained it and its cheer through the weary, homesick year in Canada.

Treasured in the family is a plain finger-ring, a mournful relic, a precious heirloom. It was on the mother's hand as she fell dead, and by the bread-dough in which her hands were at the moment of alarm, was so concealed as to escape the eye of the

plundering savage eager for the rich and bountiful scalp. It has last been in the possession of a daughter of the late Captain George A. Preble of Bath, a great-great-granddaughter of her who wore it at death. If as assumed a marriage ring, it dates back one hundred and fifty-seven years, and has been worn by four persons bearing the name Mary Preble, while a fifth Mary will have rights in succession.

So the past transmits, with but the memory of calamities and sorrows, rich gifts of enjoyment and privilege the inheritance of to-day.

This event as detailed may have worth as one instance of many hundreds of similar tragedies enacted throughout New England during eighty years of recurring Indian wars. Far more horrible were many ; far more agonizing the terror of the foe's onset and the pain of separation ; more dreadful and wearying unto death often the toilsome wilderness journey ; more heartbreaking the oblivion which covered the fate of hundreds. Certainly much of woe and loss had been avoided if truth and justice had ruled in all relations with the Indians, and also a half century of conflict had been spared with its desolations and cost in human life, if thirst for dominion and the spirit of war had not so controlled the great nations in their stubborn rivalries nor permitted the grasp upon possessions in America to seem to justify the use of those malign savage allies to achieve the ends desired.

This event narrated has special significance because of its place at the close of the " Seven Years War,"

which terminated the period of the "Indian Wars." French instigation ceased and raids on the frontier settlements save a few outbreaks during the War of the Revolution growing out of restless savage natures and greed for spoils. As that band of marauders were trailing through the northern forests and skulking about the Kennebec settlements, the forces of Amherst and Wolfe were massing upon Louisburg, the strong but doomed fortification in which France trusted to defend her eastern territory. The captives were not more than well placed in new homes by the St. Lawrence when the great fortress fell into English hands. The tragedy therefore was contemporary with the first act of the stirring drama of final conquest by Great Britain in North America.

Likewise it was the last known tragedy of the Indian Wars which involved and blotted out a whole family. Indeed it would have for any year distinction in that respect. Subsequently in that summer, records show many persons taken by the enemy. A large portion were captured in the region of Lake George and the northern army and were soldiers evidently. Others were seamen and fishermen on the eastern coast, who were viciously picked off though the Indians were greatly disheartened by the fall of Louisburg. Some dozen names appear of victims of savage incursions in eastern Maine during June, July and August. The price of the ransom was an impelling motive constantly, when French instigation no more set the human wolves upon the prey. But I find only individual captures or two or three at one

time. No list of the lost indicates a family, and only two names of females are found among scores of captives. I conclude no whole family was assailed and taken away. No other later capture was reported from the valley of the Kennebec in applications to the State government. No history shows a single name. The war in Maine was virtually ended.

Noticeable likewise is it that this last family tragedy of the last Indian war occurred but one mile distant from the place of the first tragedy of the first Indian war in the valley of the Kennebec, when Richard Hammond's house was vengefully assailed in August, 1676. Not far away, perhaps not a hundred yards from the spot where the bodies of Hammond and companions were cast out stripped and unburied to the winds or the wolves, the murdered parents received loving and as decent burial as the distressing conditions allowed. For that region and all of Maine as well, how many and barbarous, how treacherous and desolating, the deeds of the vengeful enemy which joined those extremes, 1676 and 1758.

After Louisburg a year led on to Quebec's investment and its fall when "England blazed with bonfires, . . . and New England filled the land with jubilation."

Then two captive maidens from the Kennebec stood on the heights or walls of the strong city and saw the movements of ships and soldiers which promised to them deliverance, and long remembered their share in the joy of England's triumph. There was needed only the further campaign against Montreal and then

France lowered its flag and by that capitulation "Canada and all its dependencies passed to the British crown," and as Parkman wrote, "Half the continent had changed hands at the scratch of a pen."

Note A.

Obviously required as also conformed to present endeavor in New England to mark historic sites, is some simple monument at the burial-place of the victims of this tragedy. It is regarded very desirable by their descendants, and has been mentioned with approval in historical circles. Sufficient funds however are not at present readily obtainable, but steps have been taken to insure that ownership and legal title to the spot shall be vested in some appropriate corporate body, probably the Maine Historical Society.

Note B.

It is suitable in aid of family history present and future to append a brief outline of descendants of these parents who fell under savage assault.

Names are given of four generations which are denoted in their order by the numerals. Those in the fifth generation — now children and young persons,— are enumerated but not named. All were or are residents of Woolwich unless otherwise designated.

These records show in the several families twelve or thirteen master mariners of whom two are now living, one retired from the merchant service and one in command of a government transport. Four or five were seamen of whom two were lost at sea and two died in foreign ports.

But Captain Motherwell was in the militia and had service at the Kennebec in the War of 1812.

DESCENDANTS OF EBENEZER AND MARY (HARNDEN) PREBLE.

A. 1. Rebecca, eldest daughter and captive; m. Captain Thomas Motherwell.

2. Rachel, m. Joseph Day.

3. Joseph Appleton Day, d. 1877; six children, viz.:

4. Captain Edwin O. Day, Flushing, L. I.; three daughters, one grandson.

Alfred M. Day, West Dresden; two daughters, five grandchildren.

Mrs. Margaret M. Day Carter; one son, three children of deceased daughter.

Mrs. Rachel J. Day Burchard, Hyattsville, Md.; one son.

Daughter and son unmarried, Elizabeth A., Appleton C.

2. Thomas Motherwell; some descendants living, residence not known.

3. Rachel M., daughter of Joseph Day, m. Captain Lincoln Webb.

4. Joseph L. Webb; two sons, one daughter, seven grandchildren.

Mary J. Webb; m. Dr. S. P. Buck, as below.

B. 1. Samuel, eldest son and captive.

2. Samuel.

3. Captain George A. Preble, Bath.

4. Mrs. Mary Preble Melcher; one son.

Harriet, unmarried.

2. Charlotte, m. Cleaveland Buck, M. D.

3. Samuel Preble Buck, M. D., d. 1903. By marriage with Mary Jane Webb, their children came into the united lines of Rebecca and Samuel.

4. Captain Edward P. Buck, d. 1897; one daughter.

Samuel Preble Buck; one son.

One daughter, Rachel, deceased; son and daughter, Cleaveland L. and Charlotte L., unmarried.

2. Sarah, m. Captain David G. Stinson.
3. Captain Edward Preble Stinson, d. 1904.
4. John Edward, whose two brothers and one sister have died.

3. Mrs. Rachel P. Stinson Otis, d. 1899.
Captain D. G. Stinson had also a son, Frederic J., lost at sea, and a daughter, Antoinette A., deceased.

2. Mary, d. 1890; m. Captain William P. Stinson.
3. Harriet H., m. Captain John A. Stinson.
4. Captain William Pearson Stinson.
George Preble Stinson.
Emma Tilden Stinson.
Mary Joanna Stinson.

3. Captain Francis M. Stinson, d. 1877; m. Mehetabel Stinson.
4. Charlotte B.

C. Ebenezer, m. Martha Smith. A few descendants living, not traced. In his line have been two Free Baptist ministers.

GENERAL SAMUEL THOMPSON OF BRUNSWICK AND TOPSHAM, MAINE

BY NATHAN GOOLD

Read before the Maine Historical Society, April 30, 1903

One of the most prominent and ardent patriots in Cumberland County, during the War of the Revolution, was General Samuel Thompson, then of Brunswick. He was zealous and active when others hesitated, pledged his services and means to the cause, and, without doubt, believed the declaration that, with the indignities of the British government, death was preferable to life. It was such as he who made the beginning and the end of the Revolution possible.

Samuel Thompson was a man of limited school education, of strong parts, had good sense and held the confidence, at all times, of the larger part of his fellow citizens. He was a leader among them through life, a man of integrity and was successful with his own affairs. He was a substantial citizen in the towns where he lived, but made many enemies, as such men do who have positive convictions and do not hesitate to declare them at the time of exciting events. The History of Brunswick says of him:

"As a public speaker we cannot with fairness judge Mr. Thompson by his harangues to the populace. In these he was impetuous, noisy and sometimes even furious."

"He possessed no mean power of debate and could express himself tersely and vigorously."

"In regard to his character it is hardly possible to render Brigadier Thompson exact justice."

"In regard to his public life it is not so difficult to form an opinion, though even here, owing to his outspoken and vehement manner, he made so many enemies that it is difficult to know the truth of some statements made in regard to him. One thing sure, that he was one of the leading men of his day, running over with zeal and patriotism."

"Notwithstanding the anecdotes tending to throw ridicule upon him and the animadversions of his enemies it is evident that General Thompson must have been in some respects a remarkable man or he could not for so long a period have possessed the confidence of a majority of his fellow citizens and have filled the responsible stations which he did. At all events the strength of patriotism ought to overshadow many minor deficits of character."

At this distance from his time it is well that his life work should be reviewed in the light of its usefulness, by the records preserved, as such as he, in other communities, are revered by the generations as they pass along. His long service to his country, much of it without compensation, renders us under obligations to his memory. That he may have his proper place in our history this statement of fact has been prepared under the conviction that full justice has not as yet been done to his memory. The impressions gained from our local histories are unfavorable to a certain extent, which no doubt is the result of inherited prejudice.

Recognizing the services of General Samuel Thompson, the War Department has named one of the batteries that comprise Fort McKinley, which is located on what is now known as Great Diamond Island, in Portland harbor, "The Thompson Battery." This battery commands the passage approaching the city inside of Cow Island and is built on the northerly

side of Diamond Cove. The armament consists of three eight-inch and two six-inch guns mounted on disappearing carriages.

The origin of this Thompson family has been a matter of uncertainty. James Thompson, a tailor, whose wife was Adrian Frye, it is said, was the grandfather of General Samuel Thompson. He lived in Kittery, Maine, but removed to the Scotland Parish, in the town of York, and was probably the son of William Thompson of Dover, N. H. A tradition written, before 1835, by Ezekiel Thompson, a brother of the General, is that James came from Ireland, but other members of the family believe they were of Scotch descent. Alexander, James, Joseph and Benjamin Thompson of Brunswick and vicinity, were probably brothers and, if so, the sons of James of York.

James Thompson, Jr., the father of the General, was born in Kittery, February 22, 1707, and went from Biddeford to Brunswick, about 1739, and settled on the New Meadows River. He married, April 13, 1732, Reliance, the daughter of Deacon Samuel Hinkley, and they had ten children. She died May 22, 1751, and he married, for his second wife, widow Lidia (Brown) Harris, December 13, 1751, who died February 10, 1764. She had six children. His third wife was Mary Higgins, whom he married March 22, 1764. She died May 23, 1790. He had altogether eight sons and eight daughters. "Captain" James Thompson served as a selectman in Brunswick in 1748, 1752–54 and 1757. He was a licensed

innholder from 1761 to and including 1782 and a retailer 1783 and 1784.

General Samuel Thompson was a son by the first wife and was born at Brunswick, on the New Meadows River, March 22, 1735. He married, probably in December, 1757, Abial Purinton, a daughter of Deacon Humphrey Purinton (of Georgetown, now Bath, Maine), who came from Truro, Cape Cod, where she was baptized July 23, 1738. She is said to have been a very handsome woman, but she became insane and was a great care. This was before the establishment of hospitals for such unfortunates, and he built a small building, near his dwelling, for her occupancy. Her condition of mind was a great misfortune to him and had, no doubt, much to do with the lack of facts relating to his home life and his family. She outlived him.

Their children were :

1. Reliance, born November 31, 1758.
2. Rachel, born February 19, 1761 ; died young.
3. Rachel, born July 9, 1763 ; married John Wilson.
4. James, born June 15, 1765 ; married December 3, 1790, Mary Wilson.
5. Humphrey, born December 11, 1767 ; wife, Mary, who died September 27, 1835, aged sixty-six years. He died at Topsham May 29, 1804.
6. Aaron, born October 18, 1769 ; died seven days later.
7. Aaron, born November 16, 1770 ; married Mary Cushing of Cape Elizabeth.

8. Thomas Cheney, born July 14, 1774; never married.

Samuel, Jr., a schoolmaster, never married, and was drowned.

Thankful, married William Wise of Saccarappa, in 1803.

Elizabeth, married John Mallett.

General Thompson was licensed to sell tea, etc., in 1763, as a retailer in 1772 and 1774 and as an innholder in 1773. He is described as a portly man, not tall, somewhat corpulent and had a robust constitution. He was rather fierce in appearance, had strong mental powers, was witty in conversation and was a man of capacity. He generally wore a suit of grey broadcloth. No portrait of him exists. Once he overheard a person say, what a pity it was that he had no better education, and turning, he replied, "If I have no education perhaps I can furnish some ideas to those who have." While attending the General Court, one of the lawyers handed him back a paper he had written requesting him to read it, to which he replied, "I wrote it for you to read, not to read it myself." One of the members said to him that if he had had an education he would have been a great man, to which he replied, "If I had your education I could put you in my pocket." Once walking with some gentlemen in Brunswick, he pointed to a lot of land saying that it was intended by the God of nature for an institution of learning. That is now the location of Bowdoin College, to which he donated land,

and he was a member of the first board of overseers. The board attended his funeral.

At New Meadows River, now a continuation of Water Street, he was an innholder, until he removed to Topsham, about 1784. There he lived near where the end of the railroad bridge now is, on Elm Street, west of the railroad, in a large two-story pitched roof house which was burned with his valuable papers,—the location occupied, in 1898, by the house of James Barron. He was a large land-holder. General Thompson died at Topsham, May 16, 1798, aged sixty-three years, and was buried where the railroad bridge lands in Topsham. When he laid out this graveyard at "Ferry Point," he remarked that it was where "I can go there by land or water." When the railroad bridge was built the remains of those buried there were removed to the River View Cemetery, on Elm Street, near by. His remains were identified by the brass coffin-plate, and their final resting-place is in the lot of his son Humphrey, near the center of the old part of the cemetery. No stone marks his grave but the son has a stone plainly inscribed, and both are in the same grave. A great-great-grandson, Israel Collins Purinton, pointed out to the writer the grave which was marked by a Revolutionary soldier's marker by the Maine Sons of the American Revolution, in 1903.

Ezekiel Thompson of Little River and James Purinton of Topsham, on June 19, 1798, were appointed the administrators of Samuel Thompson's estate. Benjamin Ham of Bath and James Thompson

of Little River were the sureties. Samuel Thompson, Jr., the minor son, chose John Merrill of Topsham his guardian, May 27, 1800. The appraisers of the estate were Joseph Kilgore, Aaron Dwinell and Acton Patten, Jr. The real estate was inventoried at $17,833.73 and the division of the same was made, April 25, 1806, among son James, Mary, the widow of son Humphrey and his heirs, sons Aaron and Samuel, Jr., grandson Samuel Thompson Mallett of Lisbon, Maine, who was living in 1825, daughters Rachel Wilson and Thankful who were living at the same date. It has been stated that General Thompson's whole estate amounted to $35,000. On the tax list of 1758, his real estate was valued at but four pounds, and his personal property at ten pounds eighteen shillings. In 1763, his taxable property was, real estate seven pounds, two oxen, one horse, one cow, two swine, thirty-nine vessel tonnage and three pounds income on trade. In 1765, he had thirty-six pounds real estate and four pounds six shillings personal property.

Samuel Thompson was "a centinel" in Captain John Getchell's Company from August 14 to September 14, 1751, had a service of four weeks four days in scouting and guard duty and he then was but sixteen years of age. In 1757, he was a member of the train band under the same captain, and if there was other service at about this time the records of the same have not come to our notice.

At a town meeting held at Brunswick November 17, 1774, Samuel Thompson was the moderator, and

at that meeting he was elected the captain of the town military company, with Robert Dunning as the lieutenant and Thomas Thompson the ensign. Mr. Thompson was a member of the three Massachusetts Provincial Congresses from Brunswick, and participated at Concord when men and means were voted to make the beginning of the War of the Revolution. He was also at the head of the Committee of Safety for his district.

The meeting of the three Provincial Congresses were as follows :

First Provincial Congress met at Salem, October 7, 1774, and adjourned the same day. They met at Concord, Mass., Tuesday, October 11, 1774, and adjourned October 14. Met again at Cambridge, October 17, and adjourned Saturday, October 29. Met at the same town, November 23, and dissolved December 10, 1774.

Second Provincial Congress met at Cambridge, Wednesday, February 1, 1775, and adjourned February 16. They met at Concord, Tuesday, March 22, and adjourned Saturday, April 15 to May 10, but met in the same town Saturday, April 22, and adjourned to Watertown, where they met at four o'clock the same day and dissolved May 29, 1775.

Third Provincial Congress met at Watertown, Wednesday, May 31, 1775, and dissolved Wednesday, July 19, 1775. The General Court met the same day and organized, they declaring that from the nineteenth of the ensuing September all executive appointments and commissions previously made to this action

would be void. This was an entirely new organization of the government.

The members from the District of Maine in the Provincial Congresses were as follows:

FIRST PROVINCIAL CONGRESS.

York County: Captain Daniel Bragdon, York; Charles Chauncy, Esq., Edward Cutts, Esq., Kittery; Ebenezer Sayer, Wells; Captain William Gerrish, Berwick; James Sullivan, Biddeford.

Cumberland County: Enoch Freeman, Esq., Falmouth and Cape Elizabeth; Samuel March, Scarborough; John Lewis, North Yarmouth; Solomon Lombard, Gorham; Samuel Thompson, Brunswick and Harpswell.

Lincoln County: Had no representatives.

SECOND PROVINCIAL CONGRESS.

York County: Captain Daniel Bragdon, York; Edward Cutts, Charles Chauncy, Kittery; Ebenezer Sayer, Wells; Ichabod Goodwin, Berwick; John Hovey, Arundel; James Sullivan, Biddeford.

Cumberland County: Samuel Freeman, Falmouth and Cape Elizabeth; Samuel March, Scarborough; Samuel Thompson, Brunswick and Harpswell; Briant Morton, Gorham.

Lincoln County: Samuel McCobb, Georgetown; John Merrill, Topsham; Captain Samuel Harnden, Bowdoinham; Joseph North, Gardnerstown; Remington Hobby, Vassalborough; Ichabod How, Winthrop.

THIRD PROVINCIAL CONGRESS.

York County: Captain Daniel Bragdon, York; Edward Cutts, Kittery; Ichabod Goodwin, Berwick; John Hovey, Arundel; James Sullivan, Biddeford.

Cumberland County: Samuel Freeman, Falmouth and Cape Elizabeth; Briant Morton, Gorham; Samuel Thompson, Brunswick; David Mitchell, North Yarmouth.

Lincoln County: Timothy Langdon, Pownalborough; Samuel McCobb, Georgetown and Woolwich; James Fulton, Topsham; Joseph North, Gardinerston.

Samuel Thompson attended the sessions of the Provincial Congresses, returning to Brunswick during the intermissions. He occupied a position of prominence with his associates in the Congresses, as the records show.

October 13, 1774, he was appointed one of the committee to wait upon General Gage on the disturbed condition of the province. October 21, 1774, he was made one of a committee to obtain the names of those accepting appointments under Parliament, and the same day appointed on a committee on the non-consumption agreement. December 7, 1774, he was appointed on a committee, to represent Harpswell, to prepare a statement of the number of inhabitants and extent of the commerce of the colony. December 10, 1774, he was appointed on the committee for Lincoln County to ascertain the state of the militia. March 29, 1775, he was on the committee to bring in the

resolves in regard to accepting appointments under Parliament and in publishing their names. The next day he was put on a committee to consider two accounts of John Brown, also an account of Mrs. Dorothy Coolidge.

The Provincial Congress, April 11, 1775, ordered that "Colonel Thompson be desired to repair immediately to Brunswick, Casco Bay, Woolwich, Georgetown and other places and take the most effectual measures to acquaint the people that one Mr. Perry is in the eastern part of the country endeavoring to supply our enemies with masts, spars and timber, and to make use of all proper and effective measures to prevent their aiding him in procuring such articles." The Congress adjourned on the fifteenth, and Colonel Thompson went to Bath and "with twenty resolute men seized Edward Parry and compelled him to give bonds with the penalty of £2000 to abide in the town until the pleasure of Congress could be known, and exacted money for the refreshment of the captors." What Thompson did at Bath is an extract from the record of the Congress, under the date of May 10, 1775. The refreshments cost forty-two shillings, lawful money. This event was before the Revolution had actually begun.

Edward Parry was the King's mast agent at King's Dock, in the upper part of Bath. After his capture he was tried at Joseph Lambard's house, where it was decided to send him to the Provincial Congress, which was done later. Luke Lambard went with him, and the Congress committed him to jail, where he

remained about a year, when he was exchanged and he then went to England. Mr. Parry was from London, and it is said that he was a man of integrity, honor and the most urbane manners, but he was a staunch supporter of the King.

Another man Thompson became involved with was John Bernard, an associate of Parry, who was suspected of being a Tory, and he put him under bonds also. Bernard made a complaint to the General Court, and the investigation was made with Parry's case and that of the capture of Captain Mowat, a little later, which will appear further on.

John Bernard kept a store in Bath. He was the son of Sir Francis Bernard, who was granted by the General Court, in 1762, the Isle of Mount Desert, and he erected a house at South West Harbor. He died in 1779, and left that island to trustees for his son John's benefit during his life. It was confiscated by the government, and June 23, 1785, one-half was restored to John Bernard, as being his interest at that time. He had satisfied the General Court of his loyalty to the colonies. John Bernard was a genteel and a proud man. He was six feet in height and had the body of a greyhound, and thought little of walking to Boston in a week. He had a thin face and penetrating eyes and was a man of great integrity of character, but never married. He was poor, but his dress was a cocked hat with a cockade, knee breeches with silver knee and shoe buckles; he wore a coat and waistcoat with stockings to match. He left the

country in 1786 and went to England. Afterwards he became Sir John Bernard and died in 1809.

Ten days after the battle of Lexington Colonel Thompson wrote a letter from Brunswick to the Committee of Safety at Cambridge which is still preserved in the Massachusetts Archives, in Volume CXCIII, page 98. The penmanship is fair and his autograph is creditable. He had then been a selectman at Brunswick from 1768 to and including 1771. He was a delegate to the Cumberland County convention of September 21, 1774, at Falmouth Neck, now Portland, to consider the alarming state of public affairs and was one of the committee who drew up the resolutions that expressed the people's sentiments, of which it has been said that they compared favorably with any resolutions of that time. He had been the moderator of their town meetings, had just been appointed on the Committee of Inspection and had been added to a committee to petition the General Court. The letter is given *verbatim et literatim*, as follows:

"I this minute have an opportunity to Informe you of the State of our affairs at the Eastward; that we are all Stanch for Country, Except three men and one of them is Deserted, the other two are in Iorns; as for the vessels which attempted to Convey Stuff to our enemies are stopt, and I am about to move about two hundred of white pine masts and other Stuff got for our Enemies' use. Sir, having heard of the Cruill murders they have don in our Province, makes us more Resolute than ever, and finding that the Sword is drawn first on their side, that we shall be animated with that noble Spirit that wise men ought to be, until our Just Rights and Libertys are Secured to us. Sir, my heart is with every true Son of America, though my Person can be in but one place at once, tho very soon I hope to be with you on the spot. If any of my Friends enquires after me, Inform them that I make it my whole

business to persue those measures Recommended by the Congresses; we being upon the Sea Coast and in danger of being invaded by Piriats —— as the 27th of inst. there was a boat or barge came into our harbor and River, and sounding as they went up the River.

"Sir, as powder and guns is much wanted in this Eastern Parts and also Provisions, Pray Sir, have your thoughts something in this matter against I arrive, which will be as soon as busnes will admit. Sir, I am, with the greatest Regard to the Country, at heart your Ready friend and Humble servt,

SAMUEL THOMPSON.

"Brunswick, April ye 29th 1775."

The cruel murders referred to in the above letter were the battles of Lexington and Concord.

The Council and House of Representatives ordered May 9, 1775, that a barrel of gunpowder be delivered to Colonel Thompson from the commissary stores at Falmouth for the towns of Harpswell and Brunswick, he to account to them for the same. He carried the powder to the captains before May 31, and they were ordered to deliver it to their men when necessary.

The British vessels then cruising along our coast, were a constant menace to the peace of the fishermen and farmers who dwelt near the seashore and on the islands. They impressed men into their service, appropriated stores and resented remonstrances by burning their buildings. The insolence of the British officers was almost unbearable and they were sincerely hated, none more so than Captain Henry Mowat of the Canceau.

In April, 1775, Captain Mowat was at Falmouth Neck protecting Captain Thomas Coulson in the rigging of his mast ship, much to the annoyance of the inhabitants. Colonel Thompson suggested to the

men of Brunswick and Topsham the capture of the Canceau and the plan was concocted in secret meetings, they guarding all the roads leading to Falmouth. He was chosen the colonel and John Merrill and Thomas Thompson were the captains with Captain John Simmons as the commodore. The place of meeting was at the house of Aaron Hinkley. The plan was to procure a vessel of sufficient size to carry sixty or more men, which they were to disguise as a wood coaster. The men were to be concealed in the hold, and they were to go to Falmouth in the night, get alongside of the Canceau and board her immediately. Notwithstanding their precautions the knowledge of their design reached people at Falmouth Neck and Captain Mowat. At Falmouth Neck, the people were much alarmed on learning of their intention and Enoch Freeman wrote Colonel Thompson, pleading for the abandonment of the undertaking, because they feared the wrath of the British captain. To this he probably answered that it had been laid aside, which, no doubt, was their intention to do. The discovery of the plot did not dampen the ardor of the party and they again resolved to undertake the task. Trusty, adventurous men were enlisted in the expedition which sailed in the night of May 8, 1775, and, on their arrival at Falmouth Neck, landed at Sandy Point, where the Grand Trunk Railway bridge now is, in Portland. In the party there were fifty, or more, men and in the absence of a uniform these men of 1775 wore a sprig of spruce in their hats, and for their standard they used a pole with the green top

left on. Their camp, on the back side of Munjoy Hill, was between Tukey's and the railroad bridge, in a thick grove of pine trees where the men were concealed from view. Sentinels were posted and Pelatiah Haley was sent into town for information. Those that passed that way were taken care of for a time. About one o'clock, as Captain John Merrill and two of the sentinels were walking near the shore, they saw Captain Mowat, Rev. Mr. Wiswell, of St. Paul's Church, and the ship's surgeon land and walk up the hill. They seized and carried them to Colonel Thompson, who received Captain Mowat's sword, which he immediately returned. The news of all this soon reached the town's people and caused consternation. The camp was visited by prominent citizens who strongly urged the release of the prisoners. Colonel Thompson and his men refused to do so, they contending that the war had already begun and that Providence had put the captives into their hands. As night was approaching it was decided to take the prisoners to Marston's Tavern, which was done under the escort of Colonel Thompson's men and the Falmouth Neck company. The tavern stood in what is now Monument Square, where the American Express office now is, but back from the street. The two companies were drawn up before the door, where they remained. The excitement was at its height. Lieutenant Hogg, the sailing master of the Canceau, threatened to burn the town if Captain Mowat was not released within two hours, and in reply, it is said that Colonel Thompson, having a slight impediment

in his speech, said, "F-f-fire away! f-f-fire away! every gun you fire, I will cut off a joint." General Jedediah Preble said that two guns were fired from the vessel without shot and that they "frightened the women and children to such a degree that some crawled under wharves, some ran down cellar and some out of town. Such a shrieking scene was never before presented to view here."

Evidently by a previous understanding or by the alarm Colonel Edmund Phinney's regiment assembled in town and there was so much talk of rescuing the prisoners that two or three companies were put under arms to prevent its being accomplished. The fact was the people of Falmouth Neck, at that time, were not ready for the rebellion against the British government. The timid property owners and the Tory element were the prominent people of the town and not until they felt the iron hand of English tyranny, the next October, when Captain Mowat burned the town, did the people of all classes have a common cause. Then there was no hesitancy, and old Falmouth has ever afterwards a proud record of her people to the end of the war.

Colonel Thompson, of course, was considered the cause of this tumult and many of the leading citizens appealed to him to release Mowat, and every argument was used to effect it. The most convincing one, no doubt, was that there was a great scarcity of corn in town and if the harbor was closed at that time, there must be great suffering. At this time Captain Mowat was in favor with the leading townspeople

and they of course thought it an outrage on a gentleman. About nine o'clock that night the prisoners were released on a parole to return the next morning, General Preble and Colonel Enoch Freeman pledging themselves for them. Captain Mowat did not return the next morning at nine, as promised, and the sponsors were confined. The reason Mowat gave for not fulfilling his agreement was the fear of his own life. Colonel Thompson and his men were much disappointed at this turn of affairs and called upon General Preble and Colonel Freeman for refreshment for the soldiers, which they provided at a cost of £13 or £14, whereupon they were released at ten o'clock, the next day but one. Thompson called upon them to pay for the time and expense of the men, amounting to £158 18s., which they refused to do. All this enraged Colonel Thompson and his associates, who seized all the goods they could find belonging to Captain Coulson and Sheriff Tyng and levied on Captain Jeremiah Pote, all notorious Tories. Enoch Ilsley contributed refreshments but we find no complaint from him. The soldiers carried off one of Coulson's boats and one other belonging to Captain Mowat from under his guns and hauled them nearly over to Back Cove. They neither returned anything nor gave up Calvin Lombard of Gorham, who fired a brace of balls at Mowat's vessel, although demanded by that officer. All this has come down to us as "Thompson's War," and properly so. General Preble in a letter, written at the time, said that "Mowat never will fire upon the town in any case whatever."

After the release of Mowat the officers who had resolved themselves into a board of war voted that Mowat's vessel ought to be destroyed, and a committee was appointed to consider in what manner it should be done, but by the most strenuous efforts of the people of Falmouth Neck they were prevented from carrying out their purpose. After the burning of the town in October no doubt the people became aware of their mistake. If they had destroyed the vessels in May, there would have been no burning of the town in October. The History of Brunswick says, "A year later it would have been a success."

The goods that were "sacked" from Coulson's and Tyng's houses were accounted for formally to the General Court, October 21, 1776, and instruction asked for the disposition of the same. It was not a case of plunder. No one suffered but the Tories: men who were considered enemies. There were about six hundred soldiers in town at the time, and most of them had gone before the night of the third day, having feelings of great indignation against the citizens of Falmouth Neck. They said "the town ought to be laid in ashes," and spoke sneeringly of the "Falmouth gentry." After the burning of the town General Preble spoke of Captain Mowat as "that villain." If the capture could have been carried out, Casco Bay would have been the scene of one of the most brilliant events of the Revolutionary War. Soon after the soldiers left town, Mowat weighed anchor, and taking Coulson went to Portsmouth, N. H., but he did not forget the event.

Captain Thompson and his men left for home on Saturday, much disappointed. Captain Mowat expected they would go Friday and he sent "a little vessel," with a swivel, to interrupt them. If they had met them the result would have been a question. The History of Brunswick says of Thompson's men, that they were "mostly young adventurers who afterwards enlisted under Captain James Curtis, were employed for some time at Cundy's Harbor; were then sent to Cambridge and afterwards they went to Deer Isle." The men who captured the Margaretta at Machias a short time afterwards were just such adventurers, and their descendants take much pride in their ancestry.

Captain James Curtis' wife was Rachel, the sister of Colonel Thompson. The company arrived home on Sunday and on Monday, May 15th, enlistment began. They arrived at Cambridge, Mass., July 30, and August 8 were ordered to Deer Isle, which then held a population of about three hundred souls. They were ordered to take six whale-boats, three barrels powder, one thousand pounds weight of ball, five hundred flints and two hundred bushels of Indian corn or flour. They were given forty shillings advance pay and the town where they might be stationed was to furnish the provisions for which they were to receive six shillings per week for the same per man. Their duties were to prevent the British from plundering the inhabitants of their cattle, sheep, wood, etc. The soldiers of this company receipted for the advance pay at Cambridge, August 9, 1775,

and their names have been preserved. These were the men who participated in the "Thompson's War," an event important in the history of Portland. The company was as follows:

James Curtis,	Captain,	Brunswick.
Mark Rogers,	First Lieutenant,	Harpswell.
Jona. Thompson,	Second Lieutenant,	Georgetown.
John Ewing,	Sergeant,[1]	Harpswell.
William Hunt,	"	Brunswick.
Joel Thompson,	"	"
Jacob Curtis,	"	Harpswell.
William Stanwood,	Corporal,	Brunswick.
John Hunt, Jr.,	"	"
John Blake,	"	Harpswell.
Nathan Coombs,	"	Brunswick.
John Walker,	Drummer,	"
Asa Miller,	Fifer,	Harpswell.
John Duncan,	Private,	Brunswick.
Richard Thompson,	"	"
Daniel Brown,	"	"
Benjamin Rideout,	"	"
Isaac Hinkley,	"	"
John Jones,	"	"
Ebenezer Woodward,	"	"
John Andrews,	"	"
James Dunning,	"	"
Benjamin Coombs,	"	"
Benoni Austin,	"	"
Samuel Ripley,	"	"
Jona. Young,	"	"
William Spear,	"	"
John Dunning,	"	"
Fields Coombs,	"	"

[1] Died August 26, 1775.

Daniel Hunt,	Private	Brunswick.
Tobias Ham,	"	"
David Johnson,	"	Harpswell.
John Cummings,	"	"
Jona. Johnson,	"	"
James Johnson,	"	"
Humphry Purinton,	"	"
James Bibber,	"	"
William Roddich,	"	"
Joseph Tarr,	"	"
William Tarr,	"	"
Thomas Adams,	"	"
Elijah Doyle,	"	"
Nathaniel Curtis,	"	"
Samuel Williams,	"	"
James Bestow,	"	"
Ephraim Toothacker,	"	"
Cornelius Thompson,	"	"
Alexander Gray, Jr.,	"	"
Samuel Potter,	"	"
John Dunlap,	"	"
Simon Peter Walker,	"	"
Uriah Gray,	"	"
Hugh Mulloy,	"	Georgetown.
Thomas Foote,	"	"
Bristol Griffin,	"	"

In addition to the above who were in the company about this time were:

Hezekiah Coombs,	Brunswick.
Samuel Woodward,	"

Total fifty-seven men.

The above, no doubt, were the "adventurers," who went to Falmouth Neck with Colonel Thompson for

the purpose of capturing the hated British vessel and its commander, many of whom, living by the sea, had good and sufficient reason for their hatred. This company served until the latter part of October, Captain Curtis being credited with five months five days service. These men did not stop here but again entered the army, and many had long and honorable service, while some gave all that man can give, their lives, for the cause, and their names are among the honored dead of the Republic.

The next day after the capture of Captain Mowat, Colonel Enoch Freeman, chairman of the Committee of Safety of Falmouth, wrote to his son, Samuel Freeman, then in the Provincial Congress, as follows:

"Falmouth, May 10, 1775.

"We are in confusion; though Colonel Thompson wrote us he had laid aside the scheme of coming here to take the Ship Canceaux, yet he appeared yesterday on the back of the Neck. I cannot help thinking but that it is a very impudent action, and fear it will bring on the destruction of the Town; for we can make no defence against a Man of War, and, undoubtedly, in short time there won't be a house standing here.

"Pray let Congress be informed of this affair, and let us know whether Thompson had such orders; and pray the Congress to give us directions, for we are in such confusion nobody seems to be rational."

The Committee of Correspondence of Falmouth thus addressed the Committee of the Provincial Congress, on the fifteenth of May:

"May it please your honors:

"We, the committee of correspondence in Falmouth, would beg leave to represent to your honors, the situation and circumstances of this town and county; and if there is any impropriety in our doing it, your candor will excuse it.

"The alarming attempt of Colonel Thompson, to take the ship Canceaux, Captain Henry Mowat, commander, now in this harbor, has occasioned very great uneasiness in this town, as it has a tendency to bring on us certain ruin, by the admiral's resenting it, in such a manner, as to block up our harbor before the time. We have no force to oppose or prevent it, no fortifications, no ammunition, no cannon, and, if provisions are stopped from coming in here, the town is ruined, as well as the country, which depends upon the town for supplies, of which, at present, there is a great scarcity. We think Colonel Thompson's attempt was rash and injudicious, if not unjustifiable, as we cannot learn he had any authority from you or the Congress; we are sure it was contrary to the will, and without any orders from his superior officers in the militia, though solicited for by him, and the people here seemed to be laid under contribution to subsist his men. We hope care will be taken that every attack upon our enemies, through the province, shall be conducted by proper officers, orderly, regularly, and with proper authority, lest it should occasion a civil war among ourselves. It is true, in defending ourselves, which may be sudden, immediate and resolute opposition, in the best manner that can be suddenly thought of, should be adopted; but we are afraid, that if any number of men, at any time, and in any manner, may collect together, and attack anything, or any person they please, everybody may be in danger. *Sat verbum sapienti.*

"We are also concerned, lest there should a deal of confusion arise, from a number of our men in the country, possessing themselves of the enlisting papers, lately printed, some calling themselves colonels, some majors, appointing their own officers, adjutants, chaplains, chirugeons, etc., etc., without having, as we can learn, any written orders for so doing: for they seem to contend, already, who shall be chief officers; and they are uncertain, whether the men they enlist are to be stationed here, for our defence, or march to the camp at Cambridge, to make up the standing army.

"Enlisting papers, we understand, were sent to General Preble, but he, not having any written orders, did not act in the affair. If the army can be completed without drawing men from hence, as we have all along been made to understand was the case, we cannot help thinking it would be most prudent; however, we shall not be backward, if there is real occasion for our men; and, in that case, we humbly submit, whether it would not be best, that some person or persons should be appointed, to conduct the affair according to orders. We hope we shall be excused for thus troubling your honors, as we are solicited to do it by a number of gentlemen.

"We are, with great veneration, your honors' most obedient humble servants,

ENOCH FREEMAN, *per order.*

On Thursday A. M., May 18, 1775, the Provincial Congress ordered,

"That Mr. (James) Sullivan, (of Biddeford), Col. (Jedidiah) Foster (of Brookfield), Doct. Samuel Holten (of Danvers), Mr. (Daniel) Bragdon (of York), and Capt. (Josiah) Batchelder (of Beverly), be a committee to take into consideration a letter from the committee of correspondence for the town of Falmouth, and such parts of a letter from the Hon. Enoch Freeman, Esq., to the secretary as he may communicate."

The committee to whom the communications in relation to Colonel Thompson were referred, reported the following letter to that gentlemen, which, however, was not accepted:

"Sir: — This Congress have received information that the committee of correspondence of the town of Falmouth, on hearing that you were about making an attack on the Canceaux, man of war, lying in the harbor of that town, desired you to forbear any proceedings of that kind, which you promised to do; but that you afterwards took the captain of said ship of war, and detained the Hon. Jedidiah Preble and Enoch Freeman, Esquires, as hostages for the return of said captain; and that you levied contributions of money, and other things, from the subjects there, and took a boat belonging to the said Canceaux.

"Though the Congress approves of your general zeal for this country, yet it appears that your conduct, in taking the captain of the ship, against your promise, and your levying money, or other things, of the people is by no means justifiable; and it is therefore expected, that you attend the next congress that shall be held in this colony, and to do your character justice in this matter, and that you return said boat, and stay all further proceedings of this kind in the mean time."

In the Provincial Congress, Monday, June 26, 1775, it was ordered,

"That the committee appointed to consider the petition of Mr. Edward Parry, and the report of Col. Thompson relative to his conduct

at Kennebec, be directed to consider his the said Thompson's conduct at Falmouth, with respect to Capt. Mowat and Capt. Coulson, and his laying Mr. Bernard under bonds."

That commtttee was Nathaniel Mighill of Rowley, Israel Hobart of Townshend (Boothbay), Jonathan Webster, Jr., of Haverhill, and Isaac Lothrop of Plymouth, and their report was as follows:

"The committee appointed to consider the conduct of Colonel Thompson at Falmouth with respect to Capt. Mowat, etc., and his laying Mr. Bernard under bonds, are of opinion, that said Thompson's conduct was friendly to his country, and the cause of liberty; and that said Barnard's conduct appears to have been inimical to both."

Thus it will be seen that the Provincial Congress had no word of censure or reproval for Colonel Thompson, and early in 1776 he was appointed to have the raising of troops under his command, as Colonel Freeman requested some officer might have, but probably little thought that he would be the one.

Colonel Samuel Thompson returned to the Provincial Congress, and although he failed in the effort to capture the British vessel and created the enmity of many people at old Falmouth, he seemed to have lost no prestige.

He was, June 15, 1775, one of a committee to enquire if the army is sufficiently supplied with ammunition; Sunday, June 18, 1775, on a committee to take into consideration a petition from "Egamagen Reach" and Deer Island for a supply of provisions; June 23, 1775, on a committee to take into consideration the case of the regiment that was moved from Marblehead to Cambridge and to see if they were ordered to go to Cambridge and to inquire

into it. The next day, he was on a committee to consider the request of Colonel Freeman to have the minute-men of Sandwich stationed at Naushan Island. June 26, 1775, he was on a committee to consider what measures are proper to be taken for the defence and protection of the sea coast; June 28, 1775, one of a committee of three to station the troops in Cumberland County, and on a committee to bring in a resolve for the purpose of preventing the unnecessary expenditure and use of gunpowder; June 29, 1775, on a committee to which the account of Ichabod Goodwin was committed; June 1, 1775, one of the committee to consider a letter from the Committee of Safety for the town of Salem, and the same day was appointed on a committee to draw up a resolve recommending to the town of Eastham to choose a new member or members to represent them in the Congress. The next day he was put on a committee to take into consideration the situation and circumstances of seaport towns and islands which are exposed to the ravages of the British and for other matters of like import. Sunday, June 4, 1775, he and Captain Daniel Bragdon of York, were appointed to attend Paul Revere whilst he was striking off the notes for the advance pay for the soldiers, night and day, alternately, until they were all struck off; June 6, 1775, one of a committee of three, to enquire into the circumstances of bringing four prisoners into the place the day before; June 10, 1775, one of a committee to consider the expediency of establishing a number of armed vessels; June 12, 1775, on a

committee to inquire into the reason of the want of discipline in the Massachusetts army.

Colonel Thompson was appointed by the General Court on a committee to examine the matter of Jeremiah Pote and Thomas Wyer exporting fish, at Falmouth. Both were Tories, who later left the town. Pote plead ignorance of the resolve against it, asked forgiveness and both were released. August 13, 1775, he was one of a committee to have hand bills printed and distributed in reference to desertions from the army. These bills were issued at the request of General Washington. November 9, 1775, he was appointed on a committee to wait upon the Council in relation to their attitude in the appointment of military officers. December 9, 1775, he was appointed by the General Court to take into keeping Paul Revere's printing press until the plates were ready to strike off the state bills. January 4, 1776, he was put on the committee to arrange for the signing and numbering of £75,000 of new bills then to be issued. February 1, 1776, he was added to a committee to arrange for the prevention of the counterfeiting the State bills.

At Brunswick, "Brigadier Thompson," as he came to be called, occupied a leading position in the town's affairs. He presided at the regular town meeting in 1775, and after the regular business had been attended to, Rev. Samuel Eaton, of Harpswell, was invited to address them on the issues of the day. He made a stirring appeal to their patriotism which aroused the spirits of those present to such a degree,

that Thompson and several others seized Vincent Woodside, who held a commission under the King and an outspoken Tory, and attempted to force him to renounce British rule, which he would not do; whereupon they buried him in the ground to his neck, when he was rescued from further indignities by resolute friends. They then called upon two others who were not at home, whereupon they proceeded to the mast yard, but the mast agents, Parry and Barnard, were at Georgetown. After spoiling a lot of the King's masts, they proceeded over the river to Topsham and seized Thomas Wilson, whom they considered a Tory, but his offence is said to have been that he thought it unwise to rebel against England, which position so aroused Colonel Thompson that he denounced him as a Tory and threatened him. They handcuffed Wilson and carried him to a neighbor's, but he escaped and returned home. It is said that he was dealt lightly with because he was the tailor and could not well be spared. Wilson afterwards was a cause of disturbance and he was mobbed and carried to New Meadows loaded with chains. This harsh treatment of well-known citizens engendered a hostility between the families and their friends, which had very much to do with the fact that Brigadier Thompson has never had full credit for his ardent patriotism and his devotion to the struggle for the independence of the Colonies.

Samuel Thompson was elected a colonel early in 1775 and also on the Committee of Inspection. In May, 1776, he was one of the committee to draft a

petition to the General Court. In December, he was chosen to represent the town at the General Court in relation to the formation of "some form of government that shall most conduce to the safety, peace and happiness of this State in all after generations." In 1777, General Thompson, with nineteen others, protested against the selectmen serving as such until the matter of dispute between himself and them was settled.

March 3, 1779, he was chosen first on a committee to supply the families of the men in the Continental Army with provisions. He was the moderator of the town meeting held October 31, 1780, and was chosen chairman of the committee to procure beef for the army. That same year he was chosen by the Pejepscot Proprietors one of a committee to lay out land. In 1783, the town of Brunswick voted him £30 16s. 3d. for his services as their delegate to the Provincial Congress in 1774 and 1775. In 1781, he was at the head of a committee, appointed by the Court of General Sessions, to lay out a road at Brunswick.

Colonel Thompson was elected brigadier-general of the Cumberland County Militia, January 30, 1776, and was commissioned February 8. He and Samuel Freeman recommended that the militia of the county be organized into four regiments, which recommendation was approved. The regiments and their field officers were as follows:

The 1st Regiment was from Falmouth and Cape Elizabeth and the officers were:

John Waite,	Colonel,	Falmouth.
Peter Noyes,	Lieutenant-Colonel,	"
Nathaniel Jordan,	First Major,	Cape Elizabeth.
William Frost,	Second Major,	Falmouth.

The 2d Regiment was from North Yarmouth, Brunswick, Harpswell and Royalston (Durham) and the officers were:

Jonathan Mitchell,	Colonel,	North Yarmouth.
Nathaniel Purinton,	Lieutenant-Colonel,	Harpswell.
Charles Gerrish,	First Major,	Durham.
Nathaniel Larrabee,	Second Major,	Brunswick.

The 3d Regiment was from Scarboro, Gorham and Pearsontown (Standish) and their officers were:

Reuben Fogg,	Colonel,	Scarboro.
Richard T. Lombard,	Lieutenant-Colonel,	Gorham.
Timothy McDonald,	First Major,	Scarboro.
Ephraim Rowe,	Second Major,	Standish.

The 4th Regiment was from Windham, New Gloucester, New Boston (Gray) and the settlements back of Royalston and the officers were:

Timothy Pike,	Colonel,	Windham.
Moses Merrill,	Lieutenant-Colonel,	New Gloucester.
William Knight,	First Major,	Windham.
Samuel Matthews,	Second Major,	Scarboro.

As the Brigadier-General, all the troops raised in Cumberland County were under the direction of Samuel Thompson, and it continued so to the end of the war. The raising of Colonel Mitchell's regiment for

the Bagaduce Expedition was by his orders. After the men were detached for that duty all did not report as promptly as their duty required, and upon being notified of that fact, General Thompson sent back word, "If they will not go I will make the county too hot for them." July 14, 1779, he reported to the Board of War that the regiment was ready at Falmouth Neck. The order, published in the History of Brunswick, *verbatim et literatim*, to Major Larrabee, July 3, 1779, was signed by General Thompson only. The body of the order was written by another. The original document is in the Massachusetts Archives.

General Thompson moved to Topsham about 1784, and in November, 1785, he was chosen by that town a delegate to a convention to be held at Falmouth, to consider as to the advisability of the separation from Massachusetts. At the annual town meeting in 1786 he was chosen again to attend a convention, to be held at Falmouth, on the first Wednesday of the next September, for the same purpose, and the town voted in favor of a separation. He was chosen a delegate to the convention held in Boston, in January, 1788, for the ratification of the Federal Constitution, and he and his town were opposed to that instrument, as presented. In the convention he was one of the leaders of the opposition, where sat such men, as delegates, as John Hancock, James Bowdoin, Samuel Adams, Christopher Gore, General William Heath, Increase Sumner, General Benjamin Lincoln, Rufus King, General John Brooks and others of prominence.

He spoke several times and disclaimed any knowledge of ancient history, but said he had some knowledge of his own country's. He apologized for his zeal and advised the members to go slow, for the nation was but in its childhood and when it grew to maturity he wished it to be without a deformity. He advocated the abolition of slavery, and said :

"Mr. President, shall it be said that after we have established our own independence and freedom we make slaves of others ? O Washington, what a name he had ! How he has immortalized himself, but he holds those in slavery who have as good right to be free as he has. He is still for self and in my opinion his character has sunk fifty per cent."

General Thompson opposed a standing army, but said, "Keep your militia in order." He advocated annual elections for members of Congress, and said, "Let the members know their dependence upon the people." He said, "We cannot have too much liberty," and in regard to the Constitution, he said, "There are some parts of the Constitution which I cannot digest ; and, sir, shall we swallow a large bone for the sake of little meat ? Some say, swallow the whole now and pick out the bones afterwards. But I say, let us pick off the meat and throw the bone away."

He said that the Constitution should have been first sent to the towns for their consideration, and added, "My town considered it seven hours and after this there was not one in favor of it." Then again he said, "It is strange that a system, which its planners say is so plain that he that runs may read it, should want so much explanation." When the vote was

taken, the Constitution was adopted, in a total vote of three hundred and fifty-five, by only nineteen majority. The majority of the Maine delegates was but four. Maine abolished slavery that year.

General Thompson ran the ferry over the Androscoggin River between Topsham and Brunswick, at Ferry Point, from 1783 until 1796, and was at the head of the proprietors of the first boom across the Androscoggin River, in 1789. He was chosen to represent Topsham in the General Court twelve terms, 1784–88, 1790–94 and 1797–98, and the year he died, 1797, he was chosen State senator. In 1779, General Thompson bought the island and the lower mill privilege, at the Topsham end of the Brunswick bridge, of Samuel Wilson, and his heirs sold it in 1826. The island was called "Thompson's Island" for several years. In 1784, he erected a saw-mill, with four saws, in Topsham where the mill now is, by the toll house. It had been completed but a few days when a freshet carried it off. It was rebuilt the next year. In 1802, his son, James Thompson, lived on the island and had the only house there.

In 1781, General Thompson was appointed by the Court of General Sessions of Lincoln County to lay out a road at Topsham. The town of Lisbon was incorporated in 1799 as Thompsonborough, in his honor, but the name was changed in 1802. In 1790, he kept a store in Topsham, and a tavern in 1792, and that year that town cast its vote for him as a Presidential elector. In 1793, he was chosen a

delegate to another convention to be held in Portland, in December, to consider the expediency of forming a new state, and in 1795 chosen again for the same purpose. He was a member of the Governor's Council in 1794, and filled many minor offices and served on committees of importance, of which we now have no record. He was a faithful public servant and his integrity has never been questioned in any history of his time.

General Thompson was a constant, active and sturdy patriot of the Revolution. He kept his pledge, made in 1775. He was a member of the Congress that voted the men and means to begin the war, at Concord, Mass., and at the end, he was a prominent member of the convention for the ratification of the Constitution, serving faithfully during the whole struggle for independence. The criticisms made of General Thompson's conduct was, at the beginning, for what they termed rashness. James Sullivan wrote Samuel Freeman, then at the General Court, January 21, 1776:

"I am surprised the militia bill is where you mention in your last. I fear our country will owe its destruction to the squeamishness of our General Court. Bold and manly strides are necessary in war. What is done amiss in war, may be set right in time of peace."

The earliest reflection, in our histories, of General Thompson's conduct in 1775, was by Samuel Freeman, in his edition of Parson Smith's Journal, in 1821, he using General Jedediah Preble's letters, written at the time of the "Thompson's War."

General Preble changed his opinion of Captain Mowat, later, and probably did of General Thompson. The enmity between Enoch and Samuel Freeman and Jedediah Preble and General Thompson was of the same character as between members of different political parties. Thompson placed the others in not an enviable position, as events proved and they were not unprejudiced witnesses. They all proved themselves devoted patriots, having the good of the country uppermost in their hearts, and there being honor enough for all, we can afford to give General Thompson full credit for his services, even at this late day. The Freemans and Preble have had their eulogists, and Thompson merited his, for probably no man in the County of Cumberland did more to arouse the people to the spirit of rebellion and action than he, and he was faithful to the end. Had the effort for our independence been a failure the first rebel hung in Cumberland County would have been Samuel Thompson. "He dared to be free."

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